

# FEDERAL REGISTER

VOLUME 12

1934

NUMBER 23

Washington, Saturday, February 1, 1947

## TITLE 3—THE PRESIDENT EXECUTIVE ORDER 9825

AMENDING EXECUTIVE ORDER No. 9386 OF OCTOBER 15, 1943, PRESCRIBING REGULATIONS GOVERNING THE GRANTING OF ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN

By virtue of and pursuant to the authority vested in me by section 10 of the act of June 16, 1942 (56 Stat. 363), as amended (37 U. S. C. Sup. 110), and in the interest of the internal management of the Government, it is hereby ordered as follows:

Section II of Executive Order No. 9386, dated October 15, 1943, prescribing allowances for quarters and subsistence to enlisted men not furnished quarters or rations in kind, is hereby amended, effective as of February 15, 1947, to read as follows:

### SECTION II

Men traveling on duty including detentions not exceeding thirty-one days at any one place, when not furnished sleeping car, stateroom accommodations, or other quarters, and rations in kind, shall be granted a daily allowance of \$5.00: *Provided*, that when quarters in kind are furnished, they shall be entitled only to an allowance for subsistence at the rate of \$1.00 per meal, and when subsistence is furnished they shall be entitled only to an allowance for quarters at the rate of \$2.00 per day; except that, where travel is performed by rail or water, the allowance for subsistence shall be \$1.25 for each meal required to be taken in a dining car on a train or in a dining room on a steamer, and if quarters are not provided for the day of such travel, the allowance for quarters shall be \$1.75 when an allowance for subsistence is so furnished for one meal, \$1.50 when an allowance for subsistence is so furnished for two meals, or \$1.25 when an allowance for subsistence is so furnished for three meals. For the purposes of this section, quarters in kind will be considered as furnished for the day of arrival at a permanent station.

Men absent under orders from their station upon duty which involves travel and also temporary detentions during the journey shall be deemed to be traveling under orders during the entire period of such absence including the day of departure therefrom and return thereto. For periods of detention in excess of thirty-one days at any one place, the allowances prescribed in Section I shall govern after the thirty-first day.

HARRY S. TRUMAN

THE WHITE HOUSE,  
January 30, 1947.

[F. R. Doc. 47-1058; Filed, Jan. 31, 1947;  
10:51 a. m.]

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 60—ORGANIZATION AND OFFICIAL RECORDS OF THE COMMISSION

#### PART 61—FUNCTIONS OF THE COMMISSION

##### EXAMINING AND PLACEMENT DIVISION

1. The headnote of § 60.9 *Examining and Personnel Utilization Division* (11 F. R. 177 A-363) is amended to read: *Examining and Placement Division*.

2. Changes are to be made accordingly in the title of this division as it appears in the text in the following sections in this part: 60.9 (a), 60.9 (b) (1), 60.9 (c) (1), 60.9 (c) (3), 60.14 (a), 60.14 (a) (4); and in Part 61—Functions of the Commission: § 61.2 (b).

(Sec. 12, Pub. Law 404, 79th Cong., 60 Stat. 244)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,  
M. B. MITCHELL,  
President.

[F. R. Doc. 47-991; Filed, Jan. 31, 1947;  
9:06 a. m.]

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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## NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 238), which were carried under "Notices" prior to January 1, 1947, are now presented in a new section entitled "Proposed Rule Making". Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

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<sup>1</sup> E. O. 9825.

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**PART 54—ANNUAL AND SICK LEAVE REGULATIONS****RESTORATION OF VETERANS**

1. Paragraph (b) of § 54.411 *Restoration of veterans*, is amended to read as follows:

**§ 54.411 Restoration of veterans. \* \* \***

(b) Any permanent employee who is or has been restored to a position as a result of appeal under section 14 of the Veterans' Preference Act of 1944, or as a result of formal appeal under any other authority or procedure, shall be entitled to any annual or sick leave which remained to his credit upon separation.

2. This amendment shall be effective upon publication in the FEDERAL REGISTER,

*Note:* This amendment is intended as an additional safeguard to the rights of veterans appealing under section 14 of the Veterans' Preference Act. Because of the desirability of having this safeguard available for appeals that are currently pending, the Commission finds that good cause exists for making this amendment effective as of the date of publication in the FEDERAL REGISTER.

(Sec. 7.1, E. O. 9414, January 13, 1944, 8 CFR 1944 Supp.)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,  
H. B. MITCHELL,  
President.

[F. R. Doc. 47-954; Filed, Jan. 81, 1947;  
8:52 a. m.]

**TITLE 7—AGRICULTURE****Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)**

[Orange Reg. 109]

**PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN THE STATE OF FLORIDA****LIMITATIONS OF SHIPMENT****§ 933.326 Orange Regulation 109—**

(a) *Findings.* (1) Pursuant to the amended marketing agreement and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq.; 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 3, 1947, and ending at 12:01 a. m., e. s. t., February 17, 1947, no handler shall ship:

(i) Any oranges, including Temple oranges, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade, as such grades are defined in the United States standards for citrus fruits, as amended (11 F. R. 13239; 12 F. R. 1);

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 250 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09)); or

(iii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size larger than a size that will pack 150 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Flor-

(2) As used herein, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 31st day of January 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 47-1076; Filed, Jan. 81, 1947;  
11:26 a. m.]

[Grapefruit Reg. 81]

**PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN THE STATE OF FLORIDA****LIMITATION OF SHIPMENTS****§ 933.327 Grapefruit Regulation 81—**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq.; 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 3, 1947, and ending at 12:01 a. m., e. s. t., February 17, 1947, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which grade U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (11 F. R. 13239; 12 F. R. 1));

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Flor-

## RULES AND REGULATIONS

ida, Acts of 1941 (Florida Laws Annotated § 595.09));

(iii) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit); or

(iv) Any pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit).

(2) As used herein, "variety," "handler," and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Done at Washington, D. C., this 30th day of January 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch Production and Mar-  
keting Administration.

[F. R. Doc. 47-1015; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Tangerine Reg. 62]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN THE STATE OF FLORIDA

## LIMITATION OF SHIPMENTS

§ 933.328 Tangerine Regulation 62—  
(a) Findings. (1) Pursuant to the amended marketing agreement and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq.; 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) Order. (1) During the period beginning at 12:01 a. m., e. s. t., February 3, 1947, and ending at 12:01 a. m., e. s. t., February 17, 1947, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the U. S. Standards for Tangerines, issued by the United States Department of Agriculture, effective September 29, 1941, as amended);

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid U. S. Standards), in a half-standard box (inside dimensions 9½ x 9½ x 19½ inches; capacity 1,726 cubic inches); or

(iii) Any tangerines, grown in the State of Florida, which are of a size larger than the size that will pack 120 tangerines, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid U. S. Standards), in a half-standard box (inside dimensions 9½ x 9½ x 19½ inches; capacity 1,726 cubic inches).

(2) As used herein, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Done at Washington, D. C., this 30th day of January 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 47-1017; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Orange Reg. 163]

PART 966—ORANGES GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

## LIMITATION OF SHIPMENTS

§ 966.309 Orange Regulation 163—  
(a) Findings. (1) Pursuant to the provisions of the order (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regu-

lation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) Order. (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 2, 1947, and ending at 12:01 a. m., P. s. t., February 9, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* Prorate Districts Nos. 1, 2, and 3, no movement.  
(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1, 350 carloads; (b) Prorate District No. 2, 600 carloads; and (c) Prorate District No. 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Done at Washington, D. C., this 30th day of January 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

## PRORATE BASE SCHEDULE

[Oranges Regulation Period No. 163. 12:01 a. m. Feb. 2, 1947, to 12:01 a. m. Feb. 9, 1947]

## ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base percent
Total	100.0000
A. F. G. Lindsay	.0000
A. F. G. Porterville	2.4294
Cooperative Citrus Association	.6910
Dofflemyer, W. T.	.5499
Elderwood Citrus Association	1.3374
Exeter Citrus Association	3.2436
Exeter Orange Growers Association	.6617
Exeter Orchards Association	1.1877
Hillside Packing Corp.	1.7490
Ivanhoe Mutual Orange Association	1.1930
Klink Citrus Association	5.0028
Lemon Cove Association	1.5923
Lindsay Citrus Growers Association	2.9701
Lindsay Coop. Citrus Association	1.5429
Lindsay District Orange Co.	1.5453
Lindsay Fruit Association	2.1219
Lindsay Orange Growers Association	1.4209
Naranjo Packing House Co.	.9944

## PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

## Prorate District No. 1—Continued

	Prorate Handler	base percent
Orange Cove Citrus Association	2.8703	
Orange Packing Co.	1.2180	
Orosi Foothill Citrus Association	1.4198	
Paloma Citrus Fruit Association	1.2467	
Pogue Packing House, J. E.	.7669	
Rocky Hill Citrus Association	2.2731	
Sanger Citrus Association	3.3750	
Sequoia Citrus Association	.9246	
Stark Packing Corp.	2.4665	
Visalia Citrus Association	.0000	
Waddell & Son	2.2530	
Butte County Citrus Association, Inc.	.0000	
James Mills Orchard Corp.	.9342	
Orland Orange Growers Association, Inc.	.7397	
Baird-Neece Corp.	1.9621	
Beattie Association, Agnes M.	.0000	
Grand View Heights Citrus Association	2.1835	
Magnolia Citrus Association	2.4697	
Porterville Citrus Association	1.6154	
Richgrove-Jasmine Citrus Association	1.6514	
Sandilands Fruit Co.	.0000	
Strathmore Coop. Association	1.8298	
Strathmore District Orange Association	1.7730	
Strathmore Fruit Growers Association	1.2977	
Strathmore Packing House Co.	1.4963	
Sunflower Packing Corp.	2.1632	
Sunland Packing House	2.8716	
Terra Bella Citrus Association	1.4334	
Tule River Citrus Association	1.2371	
Jensen, M. N.	2.6150	
Kroells Brothers, Ltd.	1.6360	
Lindsay Mutual Groves	1.9449	
Martin, J. D.	1.1948	
Stivers Packing Co.	.8189	
Woodlake Packing House	1.9242	
R. M. C. Porterville	.0000	
Abbate Company, The Chas	.9789	
Anderson Packing Co., R. M.	.7819	
Baker Brothers	.0000	
California Citrus Growers, Inc., Ltd.	1.9448	
Chess Company, Meyer W.	.0000	
Edison Groves Co.	.0000	
Edison Orange Growers Association	1.5705	
Evans Brothers Packing Co.	.3649	
Furr, N. C.	.0241	
Ghianda Ranch	1.5159	
Harding & Leggett	.4794	
Lo Bue Bros.	.4969	
Marks, W. & M.	.1475	
Raymond Bros.	.0000	
Reimers, Don H.	8.5260	
Rooke Packing Co., B. G.	.8851	
Snyder & Sons Co., W. A.	.0000	
Toy, Chin	.0000	
Webb Packing Co., Inc.	.0000	
Western States Fruit & Produce Co.	.0000	
Wollenman Packing Co.	.8405	
Woodlake Heights Packing Corp.	.9418	
Zaninovich Bros., Inc.	.7227	
 Prorate District No. 2		
Total	100.0000	
A. F. G. Alta Loma	.3527	
A. F. G. Fullerton	.0473	
A. F. G. Orange	.0625	
A. F. G. Redlands	.3494	
A. F. G. Riverside	.8544	
Corona Plantation Co.	.9878	
Hazeltine Packing Co.	.1051	
Signal Fruit Association	.7219	
Azusa Citrus Association	.9698	
Azusa Orange Co., Inc.	.1348	
Damerel-Allison Co.	1.2030	
Glendora Mutual Orange Association	.4913	
Irwindale Citrus Association	.3528	
Puente Mutual Citrus Association	.0482	

## PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

## Prorate District No. 2—Continued

	Prorate Handler	base percent
Valencia Heights Orchards Association	0.2031	
Glendora Citrus Association	.7972	
Glendora Heights O. & L. Growers Association	.1509	
Gold Buckle Association	8.4054	
La Verne Orange Association, The	3.5412	
Anaheim Citrus Fruit Association	.0622	
Anaheim Valencia Orange Association	.0169	
Badington Fruit Co., Inc.	.8457	
Fullerton Mutual Orange Association	.2650	
La Habra Citrus Association	.1482	
Orange Co. Valencia Association	.0260	
Orangenborpe Citrus Association	.0241	
Placentia Coop. Orange Association	.0564	
Yorba Linda Citrus Association, The	.0266	
Alta Loma Heights Citrus Association	.3891	
Citrus Fruit Growers	.7341	
Cucamonga Fruit Association	.6072	
Etiwanda Citrus Fruit Association	.2224	
Mountain View Fruit Association	.1599	
Old Baldy Citrus Association	.4360	
Rialto Heights Orange Growers	.4642	
Upland Citrus Association	2.2503	
Upland Heights Orange Association	.9789	
Consolidated Orange Growers	.0309	
Garden Grove Citrus Association	.0213	
Goldenwest Citrus Association, The	.0908	
Olive Heights Citrus Association	.0424	
Santa Ana-Tustin Mutual Citrus Association	.0284	
Santiago Orange Growers Association	.1641	
Tustin Hills Citrus Association	.0332	
Villa Park Orchards Association, Inc., The	.0385	
Bradford Brothers, Inc.	.2312	
Placentia Mutual Orange Association	.1855	
Placentia Orange Growers Association	.2566	
Call Ranch	.6982	
Corona Citrus Association	.7327	
Jameson Co.	.3767	
Orange Heights Orange Association	.8597	
Break & Son, Allen	.2779	
Brynn Mawr Fruit Growers Association	1.0647	
Crafton Orange Growers Association	1.8515	
E. Highlands Citrus Association	.4182	
Fontana Citrus Association	.4324	
Highland Fruit Growers Association	.6678	
Krinard Packing Co.	1.5920	
Mission Citrus Association	.7894	
Redlands Coop. Fruit Association	1.7415	
Redlands Heights Groves	.9279	
Redlands Orange Growers Association	1.1671	
Redlands Orangedale Association	.9662	
Redlands Select Groves	.5475	
Rialto Citrus Association	.5622	
Rialto Orange Co.	.3678	
Southern Citrus Association	.9814	
United Citrus Growers	.7132	
Zilen Citrus Co.	1.0039	
Arlington Heights Fruit Co.	.4290	
Brown Estate, L. V. W.	1.8047	
Gavilan Citrus Association	.6558	
Hemet Mutual Groves	.8168	
Highgrove Fruit Association	.7085	
McDermont Fruit Co.	1.7633	
Mentone Heights Association	.7754	
Monte Vista Citrus Association	1.1299	
National Orange Co.	.8506	
Riverside Heights Orange Growers Association	1.3316	
Sierra Vista Packing Association	.6923	
Victoria Ave. Citrus Association	2.3453	
Claremont Citrus Association	.9880	

## PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

## Prorate District No. 2—Continued

	Prorate Handler	base percent
College Heights O. & L. Association	1.0277	
El Camino Citrus Association	.5162	
Indian Hill Citrus Association	1.1584	
Pomona Fruit Growers Association	1.9584	
Walnut Fruit Growers Association	.3844	
West Ontario Citrus Association	1.5533	
El Cajon Valley Citrus Association	.3736	
Escondido Orange Association	.5528	
San Dimas Orange Growers Association	1.2140	
Covina Citrus Association	1.5932	
Coovina Orange Growers Association	.4991	
Duarte-Monrovia Fruit Exchange	.4970	
Ball & Tweedy Association	.1414	
Canoga Citrus Association	.0640	
N. Whittier Heights Citrus Association	.1143	
San Fernando Fruit Growers Association	.3042	
San Fernando Heights Orange Association	.3296	
Sierra Madra Lamanda Citrus Association	.2418	
Camarillo Citrus Association	.0096	
Fillmore Citrus Association	1.2478	
Ojai Orange Association	.9960	
Piru Citrus Association	1.1411	
Santa Paula Orange Association	.1127	
Tapo Citrus Association	.0109	
East Whittier Citrus Association	.0166	
Whittier Citrus Association	.3107	
Whittier Select Citrus Association	.0596	
Anaheim Coop. Orange Association	.0557	
Brynn Mawr Mutual Orange Association	.4889	
Chula Vista Mutual Lemon Association	.1457	
Escondido Coop. Citrus Association	.1004	
Euclid Avenue Orange Association	2.0966	
Foothill Citrus Union, Inc.	.0840	
Fullerton Coop. Orange Association	.0534	
Garden Grove Orange Coop	.0386	
Glendora Coop. Citrus Association	.0782	
Golden Orange Groves, Inc.	.3961	
Highland Mutual Groves, Inc.	.4172	
Index Mutual Association	.0039	
La Verne Coop. Citrus Association	2.4357	
Olive Hillside Groves, Inc.	.0313	
Orange Coop. Citrus Association	.0493	
Redlands Foothill Groves	2.1386	
Redlands Mutual Orange Association	1.0150	
Riverside Citrus Association	.4029	
Ventura County O. & L. Association	.2130	
Whittier Mutual O. & L. Association	.0650	
Babijuice Corp. of Calif.	.4089	
Banks Fruit Co.	.2548	
California Fruit Distributors	.0851	
Cherokee Citrus Co., Inc.	1.1141	
Chess Co., Meyer W.	.3246	
El Modena Citrus, Inc.	.0819	
Evans Brothers Packing Co.	.7986	
Gold Banner Association	1.9097	
Granada Packing House	1.0903	
Hill, Fred A.	.7096	
Inland Fruit Dealers, Inc.	.2650	
Orange Belt Fruit Distributors	2.4771	
Panno Fruit Co., Carlo	.1345	
Paramount Citrus Association	.2700	
Placentia Pioneer Valencia Grs. Association	.0757	
Riverside Growers, Inc.	.5253	
San Antonio Orchards Association	1.2180	
Snyder & Sons Co., W. A.	1.0227	
Torn Ranch	.0182	
Verity & Sons Co., R. H.	.1019	
Wall, E. T.	1.5716	
Western Fruit Grs., Inc., Redlands	2.5950	
Yorba Orange Growers Association	.0335	

[F. R. Doc. 47-1016; Filed, Jan. 31, 1947;  
8:50 a. m.]

## RULES AND REGULATIONS

[Lemon Reg. 207]

## PART 953—LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

## LIMITATION OF SHIPMENTS

**§ 953.314 Lemon Regulation 207—(a)**

**Findings.** (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which the regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) **Order.** (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 2, 1947, and ending at 12:01 a. m., P. s. t., February 9, 1947, is hereby fixed at 185 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "boxes," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such word in the said marketing agreement and order. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 30th day of January 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

## PRORATE BASE SCHEDULE

[Storage date, January 26, 1947. Regulation Period No. 207. 12:01 a. m. Feb. 2, 1947 to 12:01 a. m. Feb. 16, 1947]

Handler	Prorate base percent
Total	100.000
Allen-Young Citrus Packing Co.	.000
American Fruit Growers, Fullerton	.792
American Fruit Growers, Lindsay	.024
American Fruit Growers, Upland	.497
Consolidated Citrus Growers	.000
Corona Plantation Co.	.372
Hazeltine Packing Co.	1.239
Leppla-Pratt, Produce Distributors, Inc.	.000
McKellips, C. H.-Phoenix Citrus Co.	.000
McKellips Mutual Citrus Growers Inc.	.000
Phoenix Citrus Packing Co.	.000
Ventura Coastal Lemon Co.	1.491
Ventura Pacific Co.	1.478
Total A. F. G.	5.893

Arizona Citrus Growers	.094
Desert Citrus Growers Co., Inc.	.007
Mesa Citrus Growers	.091
Elderwood Citrus Association	.066
Klink Citrus Association	1.300
Lemon Cove Association	1.080
Glendora Lemon Growers Association	1.392
La Verne Lemon Association	.467
La Habra Citrus Association	1.125
Yorba Linda Citrus Association	.566
Alta Loma Hts. Citrus Association	.854
Etzwanda Citrus Fruit Association	.317
Mountain View Fruit Association	.793
Old Baldy Citrus Association	1.336
Upland Lemon Growers Association	4.305
Central Lemon Association	.958
Irvine Citrus Association	1.187
Placentia Mutual Orange Association	.819
Corona Citrus Association	.255
Corona Foothill Lemon Co.	1.308
Jameson Co.	.509
Arlington Heights Fruit Co.	.387
College Heights Orange & Lemon Association	1.735
Chula Vista Citrus Association	1.256
El Cajon Valley Citrus Association	.560
Escondido Lemon Association	5.016
Fallbrook Citrus Association	2.560
Lemon Grove Citrus Association	.485
San Dimas Lemon Association	1.617
Carpinteria Lemon Association	1.954
Carpinteria Mutual Citrus Association	2.352
Goleta Lemon Association	2.806
Johnston Fruit Company	5.802
North Whittier Heights Citrus Association	1.636
San Fernando Heights Lemon Association	2.747
San Fernando Lemon Association	1.837
Sierra Madre-Lamanda Citrus Association	1.600
Tulare County Lemon & Grapefruit Association	4.328
Briggs Lemon Association	.850
Culbertson Investment Co.	.410
Culbertson Lemon Association	.668
Fillmore Lemon Association	1.363
Oxnard Citrus Association No. 1	2.008
Oxnard Citrus Association No. 2	3.361
Rancho Sespe	.383
Santa Paula Citrus Fruit Association	2.732
Saticoy Lemon Association	3.854
Seaboard Lemon Association	3.068
Somis Lemon Association	1.701
Ventura Citrus Association	.899
Limoneira Co.	.906
Teague-McKevett Association	.329
East Whittier Citrus Association	1.159
Leffingwell Rancho Lemon Association	.371

## PRORATE BASE SCHEDULE—Continued

Handler	Prorate base percent
Murphy Ranch Co.	1.249
Whittier Citrus Association	.715
Whittier Select Citrus Association	.638
Total C. F. G. E.	84.166

Handler	Prorate base percent
Arizona Citrus Products Co.	.000
Chula Vista Mutual Lemon Association	1.233
Escondido Coop. Citrus Association	.873
Glendora Coop. Citrus Association	.114
Index Mutual Association	.455
La Verne Coop. Citrus Association	1.224
Libbey Fruit Packing Co.	.023
Orange Coop. Citrus Association	.368
Pioneer Fruit Co.	.013
Tempe Citrus Co.	.021
Ventura Co. Orange & Lemon Association	2.416
Whittier Mutual Orange & Lemon Association	.204
Total M. O. D.	6.944

Abbate, Chas. Co., The	.000
Atlas Citrus Packing Co.	.007
California Citrus Groves, Inc., Ltd.	.203
El Modena Citrus Inc.	.000
Evans Bros. Packing Co.—River-side	.263
Evans Bros. Packing Co.—Sentinel Butte Ranch	.000
Foothill Packing Co.	.000
Harding & Leggett	.496
Orange Belt Fruit Distributors	1.518
Potate House, The	.000
Raymond Bros.	.138
Rooke, B. G., Packing Co.	.023
San Antonio Orchard Co.	.116
Sun Valley Packing Co.	.000
Valley Citrus Packing Co.	.000
Verity, R. H., Sons & Co.	.233
Western States Fruit & Produce Co.	.000
Total Independents	2.997

[F. R. Doc. 47-1018; Filed, Jan. 31, 1947; 8:50 a. m.]

## TITLE 24—HOUSING CREDIT

## Chapter VIII—Office of Housing Expediter

[Premium Payments Reg. 8 as Amended Jan. 31, 1947, Incl. Int. 1]

## PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

## CAST IRON SOIL PIPE

**Purpose and findings.** This general regulation is issued to stimulate additional production of cast iron soil pipe, cast iron soil fittings and cast iron accessories for stacks and drainage purposes, by providing for premium payments with respect to units of additional production above established quotas. It describes how quotas are established, and the methods, procedures and conditions under which such payments may be obtained. This regulation is issued pursuant to the authority of the Veterans' Emergency Housing Act of 1946.

All available means of increasing the supply of cast iron soil pipe, cast iron soil fittings and cast iron accessories for stacks and drainage purposes, for the veterans' emergency housing program and for other construction, main-

tenance and repair essential to the national well-being have been considered. Based on such consideration the Expediter finds that premium payments are temporarily necessary to increase the supply of such materials and to stimulate additional production with greater rapidity, economy, and certainty than other available methods. The payment of a uniform rate of premium in this industry is not feasible. The rate of premium payable under Premium A is uniform. The rate of premium under Premium B is varied because of differences in the amounts of such premium applicable to each producer. In applying premium payments to necessary additional production in this industry, emphasis has been placed upon avoiding either economic dislocations or adverse effects upon established business.

## Par.

- (a) Definitions.
- (b) Eligibility.
- (c) Establishment of quota.
- (d) Application for quota.
- (e) Rate and computation of premium payments.
- (f) Claim for payment.
- (g) Payment.
- (h) Records.
- (i) Reports.
- (j) Official interpretations.
- (k) Termination.
- (l) Effective date.

**§ 805.8 Cast iron soil pipe—(a) Definitions.** As used in this section:

(1) "Cast iron soil pipe" means gray iron castings used for non-pressure flow of drainage and waste fluids in residential, commercial and industrial building construction.

(2) "Victory pipe" means cast iron soil pipe of the type described as Class B in "Federal Specification for Pipe and Pipe Fittings; Soil, Cast Iron" as amended by Amendment No. 2 issued December 20, 1945, and published in section IV Part 5 of the Federal Standard Stock Catalog and identified as document number WW-P-401.

(3) "Person" means an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing, but does not include the United States, any of its political subdivisions or any agency thereof, any other Government, any of its political subdivisions or any agency thereof.

(4) "Producer" means a person who operates a plant for the production of cast iron soil pipe and cast iron soil fittings.

(5) "Plant" means a manufacturing establishment occupying a single site within the United States, its Territories, possessions, or the District of Columbia, which is in operation for the production of cast iron soil pipe and cast iron soil fittings on the effective date of this section or which may be so operated at any time while this section remains in effect.

(6) "Operating plant" means a plant that was in operation for at least three full operating months during the period from January 1, 1946 through May 31, 1946.

(7) "Month" means a calendar month: *Provided, however, That any producer on*

whom this provision works a hardship may apply by letter to the Expediter, Washington, D. C., for authorization to submit his application for quota and claims for payments on the basis of a stipulated fiscal month. With respect to a producer who has received such authorization this section shall become effective on the first day of his fiscal month beginning on or after August 1, 1946, and shall terminate on the same date as this section terminates as to other producers.

(8) "Full operating month" means a month during which a plant operated at least eighteen working days except for February, during which the plant must have operated at least sixteen working days.

(9) "Production" means the number of short tons of merchantable cast iron soil pipe, cast iron soil fittings and cast iron accessories for stacks and drainage purposes manufactured by a producer.

(10) "Saturday production" means production attained on any Saturday which is the sixth day worked in a calendar week or on any Saturday which is the fifth day worked in a calendar week which includes a national holiday.

(11) "Shipments" means the number of short tons of cast iron soil pipe, cast iron soil fittings, and cast iron accessories for stacks and drainage purposes manufactured by a producer and shipped by such producer.

(12) "New producer". A person who did not operate prior to the effective date of this section any plant for the production of cast iron soil pipe and cast iron soil fittings shall be a new producer as to any plant, operated by him for the production of cast iron soil pipe and cast iron soil fittings, which was not prior to the effective date of this section, substantially completed as a plant capable of producing such products.

[Subparagraph (12) as amended shall become effective as of October 10, 1946]

(13) "Claim" means a claim for payment filed pursuant to this section.

(14) "Expediter" means the Housing Expediter as defined in the Veterans' Emergency Housing Act of 1946, or his duly authorized representative.

(15) "OHE" means the Office of the Housing Expediter.

(16) "Premium A" means a premium which is computed in accordance with subparagraphs (1) and (2) of paragraph (e) of this section.

(17) "Premium B" means a premium which is computed in accordance with subparagraph (3) of paragraph (e) of this section.

(b) *Eligibility—(1) Premium A.* Any producer is eligible under this section for payment of a premium designated as Premium A, if he meets all of the following conditions:

(i) His production during the month covered by the claim is in excess of quota, except as otherwise provided in paragraph (e) (2) (ii) (d) of this section;

(ii) His shipments during the month covered by the claim exceed 75 percent of his production for the month; and his shipments during the month covered by the claim and the immediately preceding

month exceed 90 percent of his combined production during those two months: *Provided, however, That if on application by the producer on form NHA 14-65 the Expediter determines that the producer's failure to ship the required percentage of his production was due to unusual circumstances beyond the producer's control, the producer shall be eligible for Premium A.*

[Subparagraph (1) as amended shall become effective as of August 1, 1946]

(2) *Premium B.* A producer is eligible for payment of a premium under this section designated as Premium B if he consumed in his production not later than February 28, 1947, pig iron of foundry or malleable grades which he bought prior to December 1, 1946, from the Thomas Plant (Birmingham, Alabama) of the Republic Steel Corporation under either of the following conditions:

(i) The producer bought such pig iron between September 1, 1946 and November 9, 1946 (both dates inclusive), at a purchase price not exceeding the maximum price established for such pig iron by the Office of Price Administration by individual adjustment granted to the Republic Steel Corporation, but which purchase price was higher than the OPA maximum price for such sales in the absence of such individual price adjustment; or

(ii) The producer bought such pig iron between November 10, 1946, and November 30, 1946 (both dates inclusive), at a basing point price charged by the Republic Steel Corporation for such pig iron which was higher than the basing point price prevailing at that time for such sales; and which higher basing point price resulted in a higher purchase price than that which the producer would otherwise have paid.

(c) *Establishment of quota.* (1) A monthly quota shall be established for each and every operating plant of a producer which shall be the higher of the following:

(i) The average monthly production of the latest three full operating months during the period January 1, 1946 through May 31, 1946: *Provided, however, That any producer who operated during those months on a week of more than 40 hours shall adjust to a 40-hour week for each shift in operation during the three months, or*

(ii) 90 percent of the production, on the same adjusted basis, in the full operating month of highest production during the period January 1, 1946 through May 31, 1946.

(2) With respect to all other plants a monthly quota shall be established by the Expediter on application: *Provided, however, That no such quota shall be established for a new producer which would result in the application of premium payments to more than 50 percent of the value (in terms of the producer's selling price) of the total output of said producer.*

## RULES AND REGULATIONS

(3) If production in any plant is below quota in any claim period the producer's quota for the next succeeding claim period shall consist of his established quota plus the amount of the deficit in the preceding claim period. *Provided, however,* That if on application by the producer on form NHA 14-65 to the Expediter he determines that the deficit was due to unusual circumstances beyond the control of the producer, such deficit shall not be added to the established quota.

(4) In the case of producers with two or more plants which are in operation, if the production in any plant falls below the quota in that plant in any month, the Expediter may establish a combined quota for any or all plants if he determines that production has been shifted among such plants so as to increase the producer's total claim without a corresponding increase in total output.

(5) (i) The quota for each operating plant, as established under paragraph (c)-(1) of this section, shall be reduced by the excess, if any, of the total amount of 5" and larger pipe sizes produced by such plant during the month of August, 1946 over 7% of its total production during that month. Such reduction in quota shall apply only with respect to claims filed for the months determined as follows:

(a) For an operating plant whose August 1946 production of 5" and larger pipe sizes represented more than 7%, but less than 10%, of its total production for that month, the reduced quota for such plant shall be applied only with respect to claims filed for the month of September 1946 and for no other month.

(b) For an operating plant whose August 1946 production of 5" and larger pipe sizes represented 10% or more, but less than 20%, of its total production for that month, the reduced quota for such plant shall be applied only with respect to claims filed for each of the months of September and October 1946 and for no other month.

(c) For an operating plant whose August 1946 production of 5" and larger pipe sizes represented 20% or more of its total production for that month, the reduced quota for such plant shall be applied only with respect to claims filed for each of the months of September, October and November 1946 and for no other month.

(ii) In the case of any producer with two or more plants, none of the plants of such producer will be eligible for the reduction in quota provided for in this subparagraph (c) (5) unless the total combined production in all the plants of such producer of 5" and larger pipe sizes during the month of August, 1946 exceeded 7% of the total combined production in all such plants during that month.

(d) *Application for quota.* Every producer who wishes to receive premium payments under this section shall file promptly with the Expediter an application for quota for each of his plants. All applications for quota shall be filed on form NHA 14-64 which may be obtained from any Reconstruction Finance Corporation Loan Agency. A producer

may find out in which RFC Loan Agency district he is located by consulting his bank.

(e) *Rate and computation of premium payments.* (1) Payments of premium A shall be made only on production in excess of quota except as provided in subparagraph (2) (ii) (d) of this paragraph. For the purpose of computing production for a month covered by a claim production shall not include cast iron soil fittings and cast iron accessories for stacks and drainage purposes in excess of 120% of production of cast iron soil pipe.

*Example 1.* Producer A has a quota of 400 tons. His total production in August 1946 is 500 tons of which 200 tons are cast iron soil pipe and 300 tons are cast iron soil fittings and cast iron accessories for stacks and drainage purposes. In computing his claim A includes all of his production of cast iron soil pipe—200 tons—plus cast iron soil fittings and cast iron accessories up to 120% of his production of cast iron soil pipe—240 tons. His production is therefore 440 tons and his production in excess of quota 40 tons. A therefore receives a premium payment on 40 tons.

(2) Payments of premium A shall be made at the following rates:

(i) Ten dollars per ton on all production in excess of established quota except where a premium at the rate of \$40.00 per ton is payable under other provisions of this section.

(ii) Forty dollars per ton on all Saturday production subject to the following conditions:

(a) If Saturday production is equal to or more than the total production in excess of established quota, \$40.00 per ton on all production in excess of established quota.

(b) If Saturday production is less than the total production in excess of established quota, \$40.00 per ton on Saturday production and \$10.00 per ton on all remaining production in excess of established quota.

(c) Premium payments at the rate of \$40.00 per ton for Saturday production shall not be made on a percentage of total production greater than the percentage arrived at by dividing the number of Saturdays in the month by the total number of days in the month exclusive of Sundays and national holidays.

(d) If production during any month is not in excess of a producer's established quota but the producer had Saturday production during that month premium payments at the rate of \$40.00 per ton may be made on such production if, on the producer's application on Form NHA 14-65, the Expediter determines that the producer's failure to produce in excess of his established quota was due to unusual circumstances beyond the producer's control.

*Example 2.* Producer W has a quota of 400 tons. In August 1946 he produces 440 tons operating on a five-day week. Since he has no Saturday production he receives a premium at the rate of \$10.00 per ton on the 40 tons which are in excess of his established quota.

*Example 3.* Producer X has a quota of 400 tons. In August 1946 he produces 440 tons of soil pipe, of which 80 tons were produced on Saturday. X receives a premium payment at the rate of \$40.00 per ton on

his production in excess of quota, that is, on forty tons.

*Example 4.* Producer Y has a quota of 400 tons. In August 1946 he produced 520 tons of soil pipe of which 80 tons were produced on Saturday. He receives a premium payment at the rate of \$40.00 per ton on 80 tons and \$10.00 per ton on the remaining 40 tons in excess of quota.

*Example 5.* Producer Z has a quota of 400 tons. In August 1946 he produces 520 tons of which 100 tons were produced on Saturdays. Since August has 27 working days, of which 5 are Saturdays, Z may not receive premium payments at the rate of \$40.00 per ton on more than  $\frac{5}{27}$ ths of his total production. Since Z's production is 120 tons in excess of quota he will receive a premium payment at the rate of \$40.00 per ton on  $\frac{5}{27}$ ths of 520 tons, that is, on 96 tons and at the rate of \$10.00 per ton on the remaining 24 tons which are in excess of quota.

(3) *Payments of Premium B* shall be made to a producer qualifying under subparagraph (2) of paragraph (b) in an amount equal to the excess, if any, of the purchase price of the pig iron bought by such producer which is actually consumed in his production of cast iron soil pipe, cast iron soil fittings and cast iron accessories for stacks and drainage purposes during the month covered by his claim for Premium B, over either of the following amounts, as the case may be:

(i) For pig iron purchased prior to November 10, 1946, the maximum price established by the Office of Price Administration for such sales of pig iron without regard to the individual price adjustment granted by the OPA to the Republic Steel Corporation for pig iron produced at its Thomas plant in Birmingham, Alabama; or

(ii) For pig iron purchased between November 10, 1946, and November 30, 1946 (both dates inclusive), the purchase price based upon the basing point price which prevailed for such sales at that time.

(f) *Claims for payment.* (1) Claims for Premium A and Premium B shall be filed on form NHA 14-65. Producers who claim both Premium A and Premium B for the same month shall incorporate both claims on the same form NHA 14-65. These forms may be obtained from any RFC Loan Agency.

(2) Each claim for payment of Premium A shall be filed on or before the last day of the month following the end of the month in which the production occurred. *Provided, however,* That claims for payment on account of production during the months of August and September, 1946 may be filed not later than November 30, 1946. Each claim for payment of Premium A shall include all of the production of the month for which claim is made and no other. Any producer whose production in any month is insufficient to permit the payment of a Premium A shall nevertheless file form NHA 14-65 as an information return. Each claim for payment of Premium B shall be filed on or before the last day of the month following the end of the

month in which the pig iron, for whose purchase such claim is made, was consumed in production and such claim shall include all of the pig iron so consumed in such month and no other: *Provided, however,* That claims for payment of Premium B for the month of September, 1946 may be filed not later than November 30, 1946.

[Subparagraph (2) as amended shall become effective as of November 15, 1946]

(3) Each claim or information return on form NHA 14-65 shall be filed with RFC at the Loan Agency for the district in which the main office of the plant is located, except that a producer operating more than one plant shall simultaneously file the claims or information returns for all of his plants at the Loan Agency for the district in which his main office is located.

(4) No claim under this section shall be assignable except as a part of the bona fide transfer of the plant to a legal successor.

(g) *Payment.*—(1) *Review by RFC.* In reviewing claims, the RFC will determine whether such claims appear to have been correctly and properly prepared.

(2) *Terms of payment.* If the claim or any part thereof is accepted by RFC subject to final verification, RFC will then pay the claimant that part of the claim so accepted: *Provided, however,* That with respect to claims for the last two months during which this section is in effect RFC may require that bond be furnished in form and amount satisfactory to it before making payment.

Preliminary acceptance and payment of a claim shall not constitute final acceptance of the validity or amount of the claim. If, after review or audit, there is cause to question the validity of any claim, RFC may:

(i) Require that bond be furnished in form and amount satisfactory to it before making further payments, or,

(ii) Suspend further payments.

(3) *Verification of claims.* (i) Upon receipt of claims, RFC will forward copies to the Expediter for verification and such investigation or audit as may be deemed appropriate.

(ii) If the amount verified and approved by the Expediter is less than the amount previously paid, the claimant shall upon demand by RFC refund the overage to RFC together with interest thereon at the rate of 4% per annum calculated from the date of such overpayment to the date repayment is made to the RFC or such overage plus interest may be deducted from any accrued or subsequent claim for any payment by RFC to the claimant.

(4) *Invalidation of claims.* The Expediter shall have the right at any time to declare invalid, in whole or in part, any claim of a producer, and such producer shall upon demand refund to RFC any payment on such claim, or part thereof, if the Expediter finds that the producer:

(i) Has failed to comply with any of the requirements of this section, or  
(ii) Has failed to comply with directives, orders or regulations of the Office

#### of Temporary Controls or OHE on cast iron soil pipe.

(iii) Has failed to maintain substantially the same ratio of production of Victory pipe to production of other pipe as the producer maintained during the period on the basis of which his quota was established.

(iv) Has filed a claim for premium payment in which the amount of production for which claim is made at the rate of \$40.00 per ton when divided by total production results in a percentage which is substantially greater than the percentage arrived at by dividing the overtime man-hours worked by the total man-hours worked.

In such cases the Expediter may recompute the claim by applying to all or part of the production in excess of quota a premium rate of \$10.00 per ton instead of \$40.00 per ton.

(h) *Records.* Every producer shall prepare and preserve for inspection for a period not less than two years after the date of termination of this section, all books, records and other documents which furnish information in support of its claim for payment. The Expediter or his designated agents shall have the right at any time to make such examinations and audits of these books, records and other documents as may be necessary to verify the representations in the producer's claim for payment or as may be required by the Expediter.

(i) *Reports.* Producers must furnish such reports as may be required by the Expediter from time to time, subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Official interpretations.* Official interpretations of this section may be given only in writing by the General Counsel of the Office of the Expediter, or his duly authorized representative. A request for an official interpretation must be filed in writing directly with the Expediter or the General Counsel.

(k) *Termination.* This section shall terminate on June 30, 1947. In the event the Expediter finds that any substantive amendments, including but not limited to an amendment of the termination date, have become necessary, no such amendments will be issued until after adequate notice to and discussion with representatives of the producers covered by this section.

Termination shall not preclude the filing of claims for payment during the month following such termination on account of production during the immediately preceding month. Such claims shall be dealt with in accordance with the provisions of this section in the same manner as if it had not been terminated.

[Above paragraph as amended shall become effective as of November 10, 1946]

(l) *Effective date.* This section as amended shall become effective as of November 10, 1946.

*Note:* The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget, in

accordance with the Federal Reports Act of 1942.

(60 Stat. 207)

Issued this 31st day of January 1947.

FRANK R. CREEDON,  
Housing Expediter.

#### -INTERPRETATION 1

#### QUANTITY OF CAST IRON SOIL PIPE FITTINGS REQUIRED TO BE PRODUCED IN A MONTH

In order to be a "producer" as defined in paragraph (a) (4) of EPPR-8, as amended, a person must produce both cast iron soil pipe and cast iron soil fittings. The quantity of fittings which a person must produce for the purpose of coming within the definition is approximately that amount which is needed to complement his additional output of soil pipe in addition to the amount of fittings which he produced during the period of time on the basis of which his quota was established. (Issued Sept. 21, 1946.)

[F. R. Doc. 47-1059; Filed, Jan. 31, 1947;  
10:59 a. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Subtitle A—Office of the Secretary of the Treasury

#### PART 1—OFFICE OF THE SECRETARY, AND BUREAUS, DIVISIONS, AND OFFICES PERFORMING CHIEFLY STAFF AND SERVICE FUNCTIONS

#### PART 2—BUREAUS, DIVISIONS, AND OFFICES DEALING LARGELY WITH THE PUBLIC

#### SUBPART A—MISCELLANEOUS AMENDMENTS

1. Paragraph (b) of § 1.1 (11 F. R. 177A-7) is amended by the addition of a new sentence as follows:

§ 1.1 *Secretary of the Treasury.* \* \* \*  
(b) \* \* \* Pursuant to Executive Order No. 9809, December 12, 1946 (11 F. R. 14281), there were transferred to the Secretary the functions of the Director of Contract Settlement and those functions of the Director of War Mobilization and Reconversion relating to supervision of the Office of Contract Settlement.

2. Paragraph (f) of § 1.1 (11 F. R. 177A-7) is amended as follows:

(f) The Secretary of the Treasury is chairman or managing trustee of certain organizations in the nature of interdepartmental boards or committees. These offices are: \* \* \*

(4) *Contract Settlement Advisory Board.* Pursuant to the provisions of Executive Order No. 9809, December 12, 1946 (11 F. R. 14281), the Secretary succeeded the Director of Contract Settlement as Chairman of the Contract Settlement Advisory Board, described in § 8095.4 of Title 32 (11 F. R. 177A-631).

3. The last sentence of § 1.4 (a) (11 F. R. 177A-8) is amended to read as follows:

§ 1.4 *General Counsel* (a) \* \* \*  
The Office of the Tax Legislative Council, which is under the supervision of the General Counsel, is discussed in § 1.20.

4. Paragraph (a) of § 1.25 is amended to read as follows:

## RULES AND REGULATIONS

**§ 1.25 Delegations of authority.** (a) The following assignments have been made within the Treasury Department:

(1) To the Under Secretary, by Treasury Department Circular No. 244, July 15, 1943, the supervision of the Division of Research and Statistics; and by Treasury Department Order No. 63, April 19, 1946, the supervision of the Bureau of Customs and the Bureau of Internal Revenue.

(2) To an Assistant Secretary, by Treasury Department Order No. 65, April 23, 1946, supervision of the Office of the Comptroller of the Currency; by Treasury Department Order No. 64, April 19, 1946, the supervision of the Coast Guard, the Bureau of Engraving and Printing, the Bureau of the Mint, the Bureau of Narcotics, the Chief Coordinator, Treasury Enforcement Agencies, and the Secret Service; by Treasury Department Order No. 66, May 10, 1946, the supervision of the Procurement Division; and by Treasury Department Order No. 76, December 10, 1946, the supervision of the Committee on Practice.

(3) To the General Counsel, by Treasury Department Circular No. 244, July 15, 1943, the supervision of the Legal Division (see also Treasury Department Order No. 1, November 20, 1933); and by Treasury Department Order No. 78, December 17, 1946, supervision over the Appeal Board established under section 13 (d) of the Contract Settlement Act of 1944 (Sec. 13 (d), 58 Stat. 662, 41 U. S. C., Sup., 113 (d)), the Contract Settlement Advisory Board created by section 5 of the Contract Settlement Act of 1944 (Sec. 5, 58 Stat. 651, 41 U. S. C., Sup., 105), and the functions of the Office of Contract Settlement.

(4) To an Assistant to the Secretary by Treasury Department Order No. 62, December 26, 1945, the supervision of the United States Savings Bonds Division.

(5) To a Special Assistant to the Secretary, by Treasury Department Order No. 70, August 20, 1946, the supervision of the Division of Monetary Research (including the management of the exchange stabilization fund), Foreign Funds Control, and the foreign relations affairs of the Treasury Department.

5. The following new § 1.35 is added to Subpart B:

**§ 1.35 Contract settlement.** Procedures relating to settlement of contracts under the provisions of the Contract Settlement Act of 1944 (58 Stat. 649; 41 U. S. C., Sup., 101-125) are described in § 8095.3 of Title 32 (11 F. R. 177A-631).

6. Part 2 is amended by the addition of a new § 2.11 reading as follows:

**§ 2.11 Appeal Board, contract settlement.** See 32 CFR 8095.5, 8095.6 (11 F. R. 177A-631).

(R. S. 161, 5 U. S. C. 22, E. O. 9809, Dec. 12, 1946, 11 F. R. 14281)

[SEAL] JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 47-989; Filed, Jan. 31, 1947;  
8:50 a. m.]

**TITLE 32—NATIONAL DEFENSE****Chapter IX—Office of Temporary Controls, Civilian Production Administration**

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-1078]

RAYMOND NICEWONGER

Raymond Nicewonger, R. D. #1, Duncansville, Pennsylvania, on or about July 11, 1946, began the construction of a two-story combination commercial and residential building on Pennsylvania Route No. 764, approximately 1 mile east of Duncansville, Pennsylvania, without authorization of either the Civilian Production Administration or the Federal Housing Administration, at an estimated cost of \$5,650. On October 1, 1946, he was warned by the Compliance Department of the Civilian Production Administration that he was apparently in violation of Veterans' Housing Program Order No. 1 in beginning this construction. On October 31, 1946, his application for authorization to complete this structure was denied by the Federal Housing Administration. Raymond Nicewonger continued to carry on construction subsequent to October 31, 1946, in spite of the aforementioned warning and denial of his application. The beginning and carrying on of this construction, subsequent to March 26, 1946, constituted a wilful violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

**§ 1010.1078 Suspension Order No. S-1078.** (a) Neither Raymond Nicewonger, his successors or assigns, nor any other person shall do any further construction on the premises located on Pennsylvania Route No. 764, approximately 1 mile east of Duncansville, Pennsylvania, including completing, putting up or altering of any structure located thereon, unless hereafter specifically authorized by the Civilian Production Administration, the Federal Housing Administration or other duly authorized Government agency.

(b) Raymond Nicewonger shall refer to this order in any application or appeal which he may file with the Civilian Production Administration, Federal Housing Administration, or any other duly authorized governmental agency, for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Raymond Nicewonger, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 31st day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-1077; Filed, Jan. 31, 1947;  
11:21 a. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-1058]

DAVID BLOOM

David Bloom, 920 Hartford Avenue, Akron 2, Ohio, on or about August 1, 1946, without authorization of the Civilian Production Administration, began and thereafter carried on the construction of a residential dwelling located at 360 Dorchester Avenue, Akron, Ohio, the estimated cost of which construction was in excess of \$400. The beginning and carrying on of such construction constituted a violation of Veterans' Housing Program Order No. 1. The violations have diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

**§ 1010.1058 Suspension Order No. S-1058.** (a) Neither David Bloom, his successors or assigns, nor any other person shall do any further construction on the premises located at 360 Dorchester Avenue, Akron, Ohio, including completing or altering the structure, unless hereafter authorized in writing by the Civilian Production Administration.

(b) David Bloom shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the Federal Housing Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve David Bloom, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 31st day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-1078; Filed, Jan. 31, 1947;  
11:21 a. m.]

## PART 3293—CHEMICALS

[Conservation Order M-54, Revocation]

## MOLASSES

Section 3293.91 *Conservation Order M-54*, is hereby revoked. This revocation does not affect any liabilities incurred for violation of this order, or of any actions taken by the War Production Board or the Civilian Production Administration under it.

Issued this 31st day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-1079; Filed, Jan. 31, 1947;  
11:21 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE  
OPERATION OF THE PRIORITIES SYSTEM  
[Priorities Reg. 34, as Amended Jan. 31, 1947]

§ 944.55 *Priorities Regulation 34*—(a) *What this regulation does.* There is a shortage in the supply of certain materials, held by the Reconstruction Finance Corporation and various government agencies for defense, for private account and for export. This regulation states the rules applicable to purchases of these materials from the RFC either directly from its own stock or from the stocks of other government owning agencies. The regulation indicates in respect to which materials a purchase from the RFC must first be authorized by the Civilian Production Administration and explains who

may apply for such authorization and in what manner. The regulation applies only to the materials listed on Table A below. This Table includes, but is not limited to, certain so-called strategic and critical materials covered by War Assets Administration Regulation 17.

(b) *Materials for the purchase of which from RFC an authorization is required from CPA.* Before a person may purchase from RFC certain of the materials on Table A, he must obtain an authorization from CPA. Whether or not an authorization is required, is indicated in Column 2. In Column 3 appears a reference to the Branch or Division of the CPA responsible for the materials. In Column 4 is specified the class of persons who may apply for an authorization to purchase from the RFC, and in respect to those materials in which the distribution is covered by CPA orders, a reference to the appropriate order is made. In some instances, Column 4 indicates that a certification will be required from the applicant.

Where Column 4 indicates applications are to be made by letter, the applicant should state: (1) the purpose for which the material is required; (2) his present inventory of the material requested; (3) the number of days supply represented by the present inventory, plus the amount requested, based on his current or scheduled rate of operation; (4) the efforts he has made to obtain the material from private sources of supply, foreign or domestic; (5) the efforts he has made to obtain and use a suitable substitute and (6) any other information pertinent to the application. In general,

CPA will authorize the purchase of the material from RFC only if the material is not available from private sources of supply, foreign or domestic; no suitable substitute material is available; and the proposed purchase conforms with applicable CPA inventory restrictions on the material in question. Authorization for the purchase will be made by the CPA on Form CPAI-3669 to RFC. CPA will notify the applicant of the action taken.

(c) *Materials for the purchase of which no authorization is required from CPA.* If Column 2 in Table A indicates that no CPA authorization is required, the material may be purchased directly from RFC upon filing with the purchase order the certificate required in Column 4.

(d) *Restrictions on purchasers.* A purchaser from the RFC of any of the materials listed on Table A below, must not violate any CPA order or regulation controlling the amount of any such material he may receive or the use or disposition he may make of it. Persons buying for resale are subject to all applicable inventory restrictions, and any materials obtained under this regulation by such persons must be offered for sale promptly in accordance with applicable CPA orders and regulations.

NOTE: The application and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

TABLE A

Material (1)	CPA authorization required (2)	CPA division or branch responsible for material (3)	Remarks (4)
<b>METALS AND MINERALS</b>			
Aluminum: primary pig.....	Yes.....	Aluminum and magnesium branch.	Primary producers may apply by letter.
Antimony: metal, ore and concentrates; flaked (needle) antimony.....	Yes.....	Tin, lead and zinc branch.....	Applications may be filed in accordance with General Preference Order M-112.
Asbestos: Rhodesian Chrysotile fiber (grade C and GI, C&G1 and C&G3; African Amosite fiber (grades MI and 3/DM1); and Cape Blue.	Yes.....	Cork, asbestos and fibrous glass branch.	Manufacturers of building materials may apply by letter.
Beryl: Ores or concentrates.....	Yes.....	Miscellaneous minerals and mining branch.	Processors may apply by letter.
Bismuth: Metal.....	Yes.....	Tin, lead and zinc branch.....	Processors and users may apply by letter. However, in view of the extremely limited supply, sales will be authorized only for the urgent needs of the Armed Forces or where bismuth metal is required for emergency use for public health and safety and it cannot be supplanted by drugs ordinarily furnished to hospitals and similar institutions.
Alloys, or scrap, containing 50 percent or more by weight of metallic bismuth.	No.....	do.....	May be sold only to smelters and reprocessors who give the seller in writing a certificate in substantially the form shown in Note 1 to this table.
Cadmium: Metal.....	Yes.....	do.....	Users may apply by letter. However, in view of the extremely limited supply, sales will be authorized only in cases of emergency. May be sold only to smelters, reprocessors or users who give the seller, in writing, a certificate in substantially the following form: "The undersigned certifies to the seller and CPA, subject to the penalties of Section 35A of the United States Criminal Code that (i) he is a smelter, reprocessor or user of finished alloys containing metallic cadmium; (ii) he is unable to get the material obtained with this certificate from private sources of supply, foreign or domestic; (iii) his inventory of the type of material covered by this purchase order (including this lot) will not be in excess of his succeeding 30 days' requirements; (iv) material obtained under this purchase order will be used or disposed of only in accordance with applicable CPA orders and regulations."
Finished alloys containing metallic cadmium (including but not limited to low melting point alloys).	No.....	do.....	May be sold only to smelters and reprocessors who give the smelter, in writing, a certificate in substantially the form shown in Note 1 below this table.
Scrap containing metallic cadmium but not containing 50 per cent or more by weight of any other one metal.	No.....	do.....	Processors and users may apply by letter.
Chromite: metallurgical and chemical ores and concentrates.	Yes.....	Steel branch.....	Processors and users may apply by letter.

## RULES AND REGULATIONS

TABLE A—Continued

Material (1)	CPA authorization required (2)	CPA division or branch responsible for material (3)	Remarks (4)
<b>METALS AND MINERALS—continued</b>			
Copper: Electrolytic or fire refined copper; cathodes, wire bars, cakes, slabs, ingots, ingot bars, billet, or bars.	Yes.....	Copper branch.....	Brass mills, wire mills and ingot makers may apply on Form CPA-4542.
Cartridge brass ingots, slabs, discs, bars, partly or completely manufactured ammunition cases, fired cases or remelted ingot; gilding metal mill forms or remelting.	Yes.....	do.....	Brass mills, wire mills, smelters and refiners may apply on Form CPA-4513.
Leaded brass mill forms or remelted ingot; and copper or copper base alloy scrap.	No.....	do.....	
Corundum: crystal or boulder ores or concentrates; primary grains and black cleavable.	Yes.....	Miscellaneous minerals and mining branch.	Processors may apply by letter.
Cryolite: ore, natural.	Yes.....	Aluminum and magnesium branch.	Processors or refiners may apply by letter.
Graphite: Madagascar flake and fines and Ceylon lump.	Yes.....	Miscellaneous minerals and mining branch.	Processors may apply by letter.
Kyanite: ore.	Yes.....	do.....	Do.
Lead: Pig.....	Yes.....	Tin, lead and zinc branch.....	Users and processors may apply by letter. However, in view of the extremely limited supply, sales will be authorized only in cases of emergency. (Delete remarks.)
Alloys, or scrap containing 50 percent or more by weight of metallic lead; residues.	No.....	do.....	Processors and users may apply by letter. Fabricators may apply by letter.
Manganese: metallurgical ores.	Yes.....	Steel branch.....	
Mica: Muscovite block, film and splittings; Phlogopite block and splittings.	Yes.....	Miscellaneous minerals and mining branch.	
Nickel: metal and nickel in oxide.....	No.....	Steel branch.....	May be sold only to smelters and reprocessors who give the seller, in writing, a certificate in substantially the form shown in Note 1 to this table. Apply by letter.
Platinum, refined.....	Yes.....	Miscellaneous minerals and mining branch.	Processors may apply by letter.
Quartz crystals: raw quartz, radio grade, and scrap.....	Yes.....	do.....	
Tin: Pig.....	Yes.....	Tin, lead and zinc branch.....	Applications may be filed in accordance with Conservation Order M-43. See M-43 restrictions governing tin and all tin-bearing alloys.
Alloys or scrap; containing 50 percent or more by weight of metallic tin; residues.	No.....	do.....	
Zinc: Slab, zinc oxide, ores and concentrates and die cast alloys.	Yes.....	Tin, lead and zinc branch.....	Processors and users may apply by letter. However, in view of the extremely limited supply, sales of metal (slab) and zinc oxide will be authorized only in cases of emergency.
Other alloys, or scrap containing 50 percent or more by weight of metallic zinc; residues.	No.....	do.....	May be sold only to smelters and reprocessors who give the seller, in writing a certificate in substantially the form shown in Note 1 to this table.
<b>OTHER MATERIALS</b>			
Ethyl alcohol.....	Yes.....	Chemicals division.....	Industrial alcohol producers may apply on CPA Form 2947.
Manila fiber.....	Yes.....	Textile division.....	Applications may be filed in accordance with Conservation Order M-84.
Molasses: scheduled for delivery to RFC before Mar. 1, 1947.	Yes <sup>1</sup> .....	Chemicals division.....	Manufacturers of butyl alcohol or industrial ethyl alcohol who use molasses may apply by letter before Feb. 5, 1947. Data required in paragraph (b) may be omitted.
Quinidine and salts.....	Yes.....	do.....	Applications may be filed in accordance with Conservation Order M-131. Do.
Quinine and salts.....	Yes.....	Rubber division.....	Applications may be filed in accordance with Rubber Order R-1.
Rubber: natural rubber, natural rubber latex, butyl, GR-S synthetic.	Yes.....	Textile division.....	Applications may be filed in accordance with Conservation Order M-84.
Sisal fiber.....			

<sup>1</sup> Except purchases by the Department of Agriculture for resale to manufacturers of cattle feed, or purchasers authorized by the Department of Agriculture to purchase for resale to manufacturers of cattle feed.

NOTE 1: Where required by a note in Column 4, a certificate in substantially the following form should be used by smelters and reprocessors:

The undersigned certifies to the seller and CPA, subject to the penalties of section 35A of the United States Criminal Code, that (1) he is a smelter or reprocessor and will use the material obtained with this certificate in his smelting or reprocessing operations; (2) he is unable to get these materials from private sources of supply, foreign or domestic; (3) his inventory of the type of materials covered by this purchase order (include this lot) will not be in excess of applicable CPA inventory restrictions; and (4) the material obtained under this purchase order will be used or disposed of only in accordance with applicable CPA orders and regulations.

[F. R. Doc. 47-1080; Filed, Jan. 31, 1947;  
11:21 a. m.]

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Third Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 4.23 (a) (3) is amended to read as follows:

(3) Sales of raw cane sugar on and after January 18, 1947. On and after January 18, 1947, the maximum price for sales of raw cane sugar determined under subparagraphs (1) and (2) above may be increased by 55 cents per hundredweight.

2. The schedule in § 4.23 (b) (1) is amended to read as follows:

All brands packaged in—	At refineries level <sup>1</sup> (per 100 lbs.)	At wholesale (per 100 lbs.)	At retail (per unit)
100 lb. container.....	\$ 7.90	\$ 8.10	\$ 0.09
25 lb. container.....	8.00	8.20	2.20
10 lb. container.....	8.05	8.25	.94
5 lb. container.....	8.15	8.35	.47
2 1/2 lb. container.....	8.15	8.35	.19
1 lb. container.....	8.35	8.55	.10

<sup>1</sup> Prices include transportation to buyer's place of business.

<sup>2</sup> Deduct 5 cents if packaged in paper bags.

<sup>3</sup> For \$0.19.

#### Chapter XI—Office of Temporary Controls, Office of Price Administration

[3d RMPR 183, Amdt. 10, § 1418.1]

#### PART 1418—TERRITORIES AND POSSESSIONS

##### SUGAR CANE IN PUERTO RICO

A statement of the considerations involved in the issuance of this amend-

This amendment shall become effective for producers of raw and refined sugars as of 12:01 a. m., January 18, 1947, and for wholesalers and retailers as of January 22, 1947.

Issued this 31st day of January 1947.

J. W. FOLLIN,  
*Acting Temporary Controls  
Administrator.*

#### *Statement of the Considerations Involved in the Issuance of Amdt. 10 to Third Revised Maximum Price Regulation 183*

The accompanying amendment increases the maximum price of raw cane and refined granulated sugars. On January 18, 1947, maximum prices of raw cane sugar were increased on the mainland 18½ cents per hundredweight and of refined sugar 20 cents per hundredweight through amendment 5 to MPR 16 and amendment 8 to MPR 60, respectively. Reference to the statement of considerations accompanying these amendments is hereby made. The same increases are made effective in Puerto Rico under this amendment for the same reasons the previous increases granted on the mainland were made applicable

to Puerto Rico, as explained in the earlier statements of considerations.

The new prices are calculated to return to distributors no less than the average percentage markups as were in effect on March 31, 1946, and are in accord with and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 47-974; Filed, Jan. 31, 1947; 8:47 a. m.]

#### Chapter XVIII—Office of Temporary Controls, Office of War Mobilization and Reconversion (Stabilization)

[Directive 147]

#### PART 4003—SUPPORT PRICES, SUBSIDIES ABSORPTION BY COMMODITY CREDIT CORPORATION OF EXCESS COSTS OF TRANSPORTING SUGAR TO DEFICIT AREAS

**§ 4003.44 Absorption of sugar transportation costs.** (a) The Acting Secretary of Agriculture has recommended the amendment of the program under which Commodity Credit Corporation absorbs the excess costs of transporting sugar into deficit areas within the continental United States. This program, in its original form, was approved by the Director of War Mobilization and Reconversion on July 20, 1946. The program should now be enlarged to authorize Commodity Credit Corporation to absorb the excess costs of transporting Hawaiian raw sugar to Gulf and Atlantic ports, designated as deficit areas, rather than to the normal West Coast destinations, and to absorb the excess costs of transporting refined Hawaiian sugar from the West Coast to these deficit areas. This has been made more necessary by the designation of the Atlantic States as deficit areas for a limited period in October and November 1946 as the result of the maritime strike. Any payments to West Coast refiners, however, would be subject to the limitation that the amount of such reimbursement shall not exceed the cost to Commodity Credit Corporation of shipping the raw sugar, from which such refined sugar was made, from Hawaii to Gulf and Atlantic ports. It is estimated that the program as modified will require the expenditure of \$3,500,000 rather than \$2,500,000, as originally contemplated.

(b) After careful consideration, I hereby find that the proposed program, with the modifications referred to in paragraph (a) of this section, is necessary to insure the maximum distribution of available supplies of sugar to satisfy essential civilian and military requirements. The Department of Agriculture is authorized and directed to carry out through the Commodity Credit Corporation the amended program described in paragraph (a) of this section (and set forth in further detail in the letters of the Acting Secretary of Agriculture dated October 11, 1946 and January 6, 1947).<sup>1</sup>

(56 Stat. 765; 58 Stat. 632, 642, 784; 59 Stat. 306; Pub. Law 548, 79th Cong.)

15 U. S. C. Sup. 713a-8; 713a-8 note, 50 U. S. C. App. Sup. 901-903, 921-925, 961-971; E. O. 9250, Oct. 3, 1942, 7 F. R. 7871; E. O. 9328, Apr. 8, 1943, 8 F. R. 4681; E. O. 9599, Aug. 18, 1945, 10 F. R. 10155; E. O. 9851, Oct. 30, 1945, 10 F. R. 13487; E. O. 9697, Feb. 14, 1946, 11 F. R. 1691; E. O. 9699, Feb. 21, 1946, 11 F. R. 1929; E. O. 9762, July 25, 1946, 11 F. R. 8073; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281)

Issued and effective this 28th day of January 1947.

J. W. FOLLIN,  
Acting Temporary  
Controls Administrator.

[F. R. Doc. 47-955; Filed, Jan. 31, 1947; 8:46 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

#### Chapter II—Corps of Engineers, War Department

##### PART 204—DANGER ZONE REGULATIONS

###### REVOCATION OF CERTAIN DANGER ZONE

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917, §§ 204.81, 204.86, 204.89 and 204.91b, prescribing regulations governing the use and navigation of danger zones, are revoked as follows:

**§ 204.81 Waters of Atlantic Ocean; Savannah Air Base, aerial gunnery range between Wassaw Island-Doboy Island, Ga.** [Revoked.]

**§ 204.86 Waters of Gulf of Mexico; U. S. Army Air Corps, aerial gunnery target range in vicinity of Venice, Fla.** [Revoked.]

**§ 204.89 Waters of Gulf of Mexico, Apalachee Bay; aerial gunnery range, 3rd Air Force.** [Revoked.]

**§ 204.91b Waters of Lake Borgne, north of Shell Beach, La.; antiaircraft gunnery range, New Orleans Port of Embarkation, Army Service Forces.** [Revoked.]

[Regs 17 Dec. 1944, CE 800.2121 ENGWR] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-990; Filed, Jan. 31, 1947; 9:06 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

#### Chapter I—Interstate Commerce Commission

[S. O. 624, Amdt. 4]

##### PART 95—CAR SERVICE

###### MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of January A. D. 1947.

Upon further consideration of Service Order No. 624 (11 F. R. 12183), as amended (11 F. R. 13792, 14272), and good cause appearing therefor; it is ordered that:

Section 95.624 *Movement of grain to terminal elevators by permit*, of Service Order No. 624, as amended be, and it is hereby, further amended by substituting the following paragraphs (a) and (b) for paragraphs (a) and (b) thereof:

(a) (1) *Movement of grain into port areas restricted.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move any car loaded with export grain waybilled and consigned to any elevator or for direct delivery to a vessel in the port area of Albany, New York, or any Atlantic Seaboard port (Hampton Roads, Va., and north thereof) unless such origin carrier has first obtained a permit from the elevator or the delivering railroad in the port area.

(2) *Priority for loading certain grain required.* All common carriers by railroad, subject to the Interstate Commerce Act, serving points where export grain subject to this order is loaded, shall give preference and priority over all other traffic to supplying or placing a box car or cars for loading grain, providing Agent Paul B. Christian certifies in writing that such box car is intended for loading with grain for the foreign relief program.

(b) *Appointment of agent and designation of duties.* (1) Mr. Paul B. Christian, Railway Transport Department, Office of Defense Transportation, Room 5139 ICC Building, Phone: Republic 7500, Ext. 73208, is hereby designated and appointed as an agent of this Commission and authorized to appoint elevators or delivering carriers in the port areas as permit agents under paragraph (a) of this section.

(2) In appointing elevators and delivering carriers in port areas described herein as permit agents Mr. Christian is authorized to prescribe the terms and conditions under which permits may be issued and is authorized at any time to change, revoke or cancel the terms or conditions under which permits may be issued.

It is further ordered, that this amendment shall become effective at 12:01 a. m., January 29, 1947; that a copy of this order be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901; 49 U. S. C. (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-962; Filed, Jan. 31, 1947; 8:46 a. m.]

<sup>1</sup> Letters not filed with Division of the Federal Register.

## PROPOSED RULE MAKING

## DEPARTMENT OF THE INTERIOR

Office of Indian Affairs

[25 CFR, Part 1301]

WIND RIVER INDIAN IRRIGATION PROJECT,  
WYOMING

## OPERATION AND MAINTENANCE CHARGES

JANUARY 27, 1947.

Pursuant to section 4 (a) of the Administrative Procedure Act approved June 11, 1946 (Public Law 404, 79th Congress); the Acts of Congresses approved August 1, 1914 (38 Stat. 583, 25 U. S. C. 385); March 7, 1928 (45 Stat. 210, 25 U. S. C. 387); and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs September 14, 1946 (11 F. R. 10297), notice is hereby given of intention to amend § 130.95 of Title 25, Code of Federal Regulations, by increasing the per acre operation and maintenance charge on the ceded portion of the Wind River Reservation from \$1.25 per acre per annum to \$2.50 per acre per annum. The foregoing change in rate of assessment is to become effective for the calendar year of 1947 and to continue in effect thereafter until further order.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to Paul L. Fickinger, Director, U. S. Indian Service, Billings, Montana, within 30 days from the date of the publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

WALTER V. WOELKIE,  
For the Commissioner.

[F. R. Doc. 47-951; Filed, Jan. 31, 1947;  
8:52 a. m.]

FEDERAL COMMUNICATIONS  
COMMISSION

[47 CFR, Part 6]

[Docket No. 8073]

## TRANSMISSION OF CALL LETTERS

## NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The rules and regulations as proposed for revision are set forth below. The words involved in the proposed revision are indicated by brackets.

3. The proposed rule is issued under the authority of sections 4 (i), 301, 303 (f), 303 (p), and 303 (r) of the Communications Act of 1934, as amended.

4. The effect of the proposed revision shall be to relieve certain restrictions currently embodied in § 6.37 of the Commission's rules and regulations.

5. Any interested person who is of the opinion that this proposed revision of the rules should not be adopted, or should not be adopted in the form set forth, may file with the Commission, within a

period ending on the 10th day next following the publication of this notice in the FEDERAL REGISTER, a written statement or brief setting forth his comments. The Commission will consider these written comments before adopting the proposed rule, and, if comments are submitted which warrant the Commission holding an oral argument, notice of the time and place of such oral argument will be given.

**§ 6.37 Call letters, transmission of.** Every point-to-point telegraph and telephone station in the fixed public and fixed public press services shall transmit three times in succession at [hourly] intervals during each 24-hour period the identifying call letters of the frequency or frequencies below 50,000 kilocycles on which transmissions are taking place. This transmission shall be made within the period ten minutes before and ten minutes after the [hour] under the following conditions:

(a) *Point-to-point telegraph stations.* (1) The transmission shall be made in International Morse code utilizing either type A-1 or type A-2 emission at a transmission speed not to exceed twenty-five words per minute without the use of multiplexing, tape facsimile, printer or other similar equipment or methods of operation during such period and shall consist of transmitting the signal "QRA de" followed by the call letters.

(2) Point-to-point telegraph stations engaged in a radiophoto or an addressed program transmission shall not be required to transmit identifying call letters during the period when such identification would interrupt the continuity of the program or radiophoto that is being transmitted. In any such case the identifying call letters shall be transmitted, as outlined above, immediately following the conclusion of the program or radiophoto.

(b) *Point-to-point telephone stations.* (1) The transmission shall be made employing either type A-1, A-2, or A-3 emission: *Provided, however,* When utilizing type A-1 or A-2 emission the transmission shall be made in International Morse Code at a transmission speed not to exceed twenty-five words per minute and shall consist of transmitting the signal "QRA de" followed by the call letters. When utilizing type A-3 emission, all privacy or secrecy devices shall be removed from the transmitter input circuit during such period and the announcement shall be made in the following order: "This is Station (Call letters.)"

(2) Point-to-point telephone stations continuously engaged in a public telephone message, radiophoto, or an addressed program transmission shall not be required to transmit identifying call letters during the period when such identification would interrupt the continuity of the message, radiophoto, or program that is being transmitted. In any such case the identifying call letters shall be transmitted, as outlined above,

immediately following the conclusion of the message, radiophoto, or program.

Approved: January 22, 1947.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-957; Filed, Jan. 21, 1947;  
8:46 a. m.]

## [47 CFR, Part 8]

[Docket No. 8071]

## SHIP SERVICE

## NOTICE OF PROPOSED RULE MAKING

JANUARY 24, 1947.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend paragraph (g) of § 8.115 of the Commission's rules governing ship service to read as follows:

(g) No electrical load circuits except those of the emergency installation<sup>46</sup> shall be connected to the emergency power supply: *Provided, That an approved automatic-alarm-signal keying device, or the audible warning apparatus associated with an approved auto-alarm receiver, or both, may be connected to that part of the emergency power supply furnishing power to the emergency transmitter: Provided further, however, That the reserve capacity of the emergency power supply shall include the additional capacity required to energize, in a normal manner and to a normal extent, any keying device or audible warning apparatus that may be connected as herein authorized, including sufficient capacity to energize any keying device continuously for a period of one hour.*

3. The purpose of the above-quoted proposed amendment is to permit the utilization of a ship's emergency radio transmitter power supply to energize automatic-alarm-signal keying devices used in keying shipboard radio-telegraph transmitters and to energize audible warning apparatus associated with auto-alarm receivers. In this connection, the attention of all interested parties is particularly directed to the following points:

a. The proposed amendment authorizes the connection of automatic-alarm-signal keying devices and auto-alarm audible warning apparatus to only that part of a ship's emergency power supply furnishing power to the emergency radio transmitter.

b. In connection with auto-alarm receivers, the proposed amendment authorizes the connection of audible warning devices, such as warning bells, but does not authorize the connection of any other associated electrical equipment

<sup>46</sup> The emergency radio installation includes the required radio station emergency lights.

such as relays controlling the bell circuits.

4. Heretofore, in February, 1946, a proposed amendment, similar to the above, was tentatively approved by the Commission and distributed to all parties known or believed to be interested for the purpose of obtaining their comment. The Commission has duly considered all comments received and all problems involved, and after such consideration has concluded that it appears to be in the public interest, convenience or necessity that the above-quoted proposed amendment should be finally adopted.

5. Inasmuch as the effect of the proposed amendment is to relieve an existing restriction upon the use of certain radio equipment, and in view of the previous publicity and notice to interested parties covering this subject matter, it is proposed that the amendment when finally adopted shall be made effective immediately.

6. The proposed amendment is authorized by sections 303 (r) and 356 of the Communications Act of 1934, as amended.

7. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before

February 6, 1947, a written statement or brief setting forth his comments. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given.

(Sec. 303 (r), 356, 50 Stat. 191, 194; 47 U. S. C. 303 (r), 356)

Adopted: January 23, 1947.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-956; Filed, Jan. 31, 1947;  
8:46 a. m.]

#### [47 CFR, Part 9]

##### AVIATION RULES PROPOSED REVISION

JANUARY 24, 1947.

The Commission announces that on February 25, 1947 members of its staff will hold an informal conference at its offices in Washington, D. C., with interested members of the aviation industry to discuss a proposed revision of the rules and regulations governing aviation

services. A copy of the proposed revision will appear in the FEDERAL REGISTER at an early date and will serve as a basis for discussion.

Inasmuch as this is the first general revision of the rules since they were adopted in 1939, it is felt that the aviation industry and other interested persons will have much to offer at a conference of the nature proposed. Holding the conference prior to the date set for the oral argument should be helpful in resolving some of the issues involved in the Commission's proposal. In addition it will afford an opportunity to discuss generally the Commission's policies and activities in the aviation field and expedite the finding of solutions to the many problems confronting both the industry and the Commission.

All persons interested are invited to attend. However, in order that a meeting place of suitable size can be arranged, it is requested that those planning to be present notify the Commission prior to February 21, 1947.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-977; Filed, Jan. 31, 1947;  
8:48 a. m.]

## NOTICES

### FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 6881, 6882]

WGCM BROADCASTING CO. AND WLOX BROADCASTING CO.

ORDER DESIGNATING PETITION FOR ORAL ARGUMENT

In re applications of Hugh O. Jones, et al., tr/ as WGCM Broadcasting Company, Biloxi, Mississippi, Docket No. 6881, File No. B3-P-3698; WLOX Broadcasting Company, Biloxi, Mississippi, Docket No. 6882, File No. B3-P-4158, for construction permits.

At a session of the Federal Communication Commission held at its offices in Washington, D. C., on the 22d day of January 1947;

The Commission having under consideration a petition filed December 11, 1946 by WLOX Broadcasting Company, Biloxi, Mississippi, for leave to amend its application for construction permit, so as to show a revised corporate structure and to show a revised balance sheet indicating an increase in its assets by the issuance of additional stock; the opposition thereto filed December 17, 1946, by Hugh O. Jones, et al., tr/ as WGCM Broadcasting Company, Biloxi, Mississippi; the reply to the opposition to petition for leave to amend filed by WLOX Broadcasting Company on December 27, 1946;

It appearing, that the above-entitled mutually exclusive applications were

designated for hearing on October 23, 1945 and accordingly heard on February 22 and 23, 1946 and April 8, 1946; that on October 4, 1946, the Commission adopted a Proposed Decision proposing to deny both of the above-entitled applications; that on November 27, 1946 both parties filed exceptions to the Proposed Decision and requests for oral argument;

*It is ordered,* That said petition be and the same is hereby Designated for oral argument to be held before the Commission en banc at 10:00 a. m. on February 12, 1947, in the offices of the Commission at Washington, D. C.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-984; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Docket Nos. 6883, 6884, 7115, 7851, 7852, 7883]

CRESCENT BROADCAST CO. ET AL.

ORDER ENLARGING ISSUES

In re applications for construction permits of: Crescent Broadcast Company, Shenandoah, Pennsylvania, Docket No. 6883, File No. B2-P-4092; The Patriot Company, Harrisburg, Pennsylvania, Docket No. 6884, File No. B2-P-4091; WHP, Incorporated (WHP), Harrisburg, Pennsylvania, Docket No. 7115, File No. B2-P-4334; Union Broadcasting Com-

pany (WARM), Scranton, Pennsylvania, Docket No. 7851, File No. B1-P-5186; John H. Stenger, Jr. (WBAX), Wilkes-Barre, Pennsylvania, Docket No. 7852, File No. B1-P-5212; Hudson Valley Broadcasting Company, Inc., Albany, New York, Docket No. 7883, File No. B1-P-5148.

The Commission having under consideration a petition filed December 31, 1946, by The Patriot Company, Harrisburg, Pennsylvania, requesting that the issues in the proceeding upon the above-entitled applications be enlarged to include the following issue:

To determine whether the frequency of 1420 kc is available for use at Shenandoah, Pennsylvania, and, if so, whether it should be assigned in lieu of 580 kc; and

It appearing, that the petition to enlarge issues is based upon a proposal to use the frequency 1420 kc, with 5 kw power, unlimited time, directional antenna day and night, supported by engineering data giving details of the proposed directional antenna pattern and a specific site in Shenandoah, Pennsylvania; and

It further appearing, that said proposal made by petitioner for the use of 1420 kc in Shenandoah may be feasible, but the issue requested by petitioner does not include a reference thereto, and the Commission is of the opinion that the issue, if enlarged, should include such a reference;

*It is ordered,* This 17th day of January 1947, that the petition be, and it is hereby, granted in part; and the issues adopted

## NOTICES

December 30, 1946, in the proceeding upon the above-entitled applications be, and they are hereby, enlarged to include the following:

To determine whether the frequency of 1420 kc, using a directional antenna day and night as specified in the engineering proposal filed with the Commission by The Patriot Company on January 14, 1947, is available for use at Shenandoah, Pennsylvania, and, if so, whether it should be assigned in lieu of 580 kc.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-981; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Docket Nos. 7503 and 8054]

CLEARWATER RADIO BROADCASTERS, INC. AND  
LYLE VAN VALKENBURGH

ORDER DESIGNATING APPLICATION FOR CON-  
SOLIDATED HEARING ON STATED ISSUES

In re applications of Clearwater Radio Broadcasters, Inc., Clearwater, Florida, Docket No. 7503, File No. B3-P-4650; Lyle Van Valkenburgh, St. Petersburg, Florida, Docket No. 8054, File No. B3-P-5547; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of January 1947;

The Commission having under consideration the above-entitled application of Clearwater Radio Broadcasters, Inc., requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Clearwater, Florida, and the above-entitled application of Lyle Van Valkenburgh, requesting the same facilities at St. Petersburg, Florida;

*It is ordered*, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, each upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, and the officers, directors and stockholders of the corporate applicant, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-985; Filed, Jan. 31, 1947;  
8:48 a. m.]

[Docket Nos. 7694, 7695, 7740, 7817, 7962,  
7973]

HUNTINGTON BROADCASTING CO. ET AL.

ORDER SCHEDULING FURTHER HEARING

In re application of Leon Wyszycki, d/b as Huntington Broadcasting Company, Huntington Park, California, Docket No. 7694, File No. B5-P-4822; Hollywood Community Radio Group, Los Angeles, California, Docket No. 7695, File No. B5-P-5020; Hollywood Community Radio Group, Los Angeles, California, Docket No. 7740, File No. B5-PH-765; Coast Radio Broadcasting Corporation, Los Angeles, California, Docket No. 7817, File No. B5-P-5095; San Gabriel Valley Broadcasting Company, Monrovia, California, Docket No. 7962, File No. B5-P-5425; Pacific Broadcasting Company, San Francisco, California, Docket No. 7973, File No. B5-PH-1122; for construction permits.

It appearing, that public interest, convenience and necessity will be served by scheduling a further hearing in the above-entitled proceeding;

*It is ordered*, This 10th day of January 1947, that a further hearing in the above-entitled proceeding be, and it is hereby, scheduled for 10:00 o'clock A. M. Monday, March 10, 1947.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-982; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Docket Nos. 7162, 7991, 7992, 7993, 7994, 7995,  
7996]

LOUISIANA BROADCASTING CO. ET AL.

ORDER ADVANCING DATE OF HEARING

In re applications of Roy Hofheinz and W. N. Hooper, a partnership, doing business as Louisiana Broadcasting Company, New Orleans, Louisiana, Docket No. 7162, File No. B3-P-4260; Bayou Broadcasting Company, Inc., Baton

Rouge, Louisiana, Docket No. 7991, File No. B3-P-5453; Patroon Broadcasting Co., Inc., Albany, New York, Docket No. 7992, File No. B1-P-4611; Texoma Broadcasting Company, Durant, Oklahoma, Docket No. 7993, File No. B3-P-5112; East-West Broadcasting Company, Fort Worth, Texas, Docket No. 7994, File No. B3-P-4524; Western Waves, Inc., Seattle, Washington, Docket No. 7995, File No. B5-P-5060; for construction permits.

Matter of petition of Josh Higgins Broadcasting Company (KXEL), for continuation of exclusive nighttime assignment on 1540 kc, to Station KXEL, Waterloo, Iowa, Docket No. 7996.

The Commission having scheduled the consolidated hearing on the above-entitled matters for 10:00 o'clock a. m., Friday, March 14, 1947, at Washington, D. C.; and

It appearing, that public interest, convenience and necessity would be served by advancing the date of said consolidated hearing to 10:00 o'clock a. m., Monday, February 17, 1947;

*It is ordered*, This 10th day of January, 1947, on the Commission's own motion, that the date for the said consolidated hearing on the above-entitled matters be, and it is hereby, advanced to 10:00 o'clock a. m., Monday, February 17, 1947, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-979; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Docket No. 7934]

MOUNTAIN BROADCASTING SERVICE

ORDER AMENDING ISSUES

In re application of Dewey J. Bailey, Harold P. Hunnicutt and Frank G. McKenzie, doing business as Mountain Broadcasting Service, Princeton, West Virginia, for construction permit; Docket No. 7934, File No. B2-P-5386.

The Commission having under consideration a petition filed January 10, 1947, by Mountain Broadcasting Service, Princeton, West Virginia, requesting leave to amend its above-entitled application for construction permit (File No. B2-P-5386; Docket No. 7934), so as to substitute the corporation Mountain Broadcasting Service, Inc. for the partnership Dewey J. Bailey, Harold P. Hunnicutt and Frank G. McKenzie, doing business as Mountain Broadcasting Service; to change Paragraphs 1, 4, 6, 8, 9 and 12 of the application to show the substitution of the corporation for the partnership, and to give complete information concerning the said corporation; as more particularly appears from the amendment filed simultaneously with the petition; and to amend Issue No. 1 in the notice of hearing upon its application so as to refer to the applicant corporation instead of the applicant partnership;

*It is ordered*, This 17th day of January, 1947, that the petition for leave to amend be, and it is hereby, granted; the said

amendment filed simultaneously with the petition covering the matters hereinabove described be, and it is hereby accepted; and Issue No. 1 in the notice of hearing upon the above-entitled application and the application of Mercer Broadcasting Company, Princeton, West Virginia (File No. B2-P-4955; Docket No. 7993), dated October 31, 1946, be, and it is hereby, amended to read as follows:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and the partners thereof, and the applicant corporation and the officers, directors and stockholders thereof, to construct and operate the proposed station.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-980; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Docket Nos. 7862 and 7968]

MISSION BROADCASTING CO.

ORDER SETTING FORTH HEARING DATE

In re applications of Eugene J. Roth doing business as Mission Broadcasting Company (KONO) San Antonio, Texas, for renewal license and for construction permit for FM Station; Docket No. 7862, File No. B3-R-414 and Docket No. 7968, File No. B3-PH-1038.

The Commission having scheduled a hearing upon the above-entitled application for March 3, 1947 at Washington, D. C.; and

It appearing, that public interest, convenience and necessity will be served by fixing the place of hearing at San Antonio, Texas instead of Washington, D. C.:

*It is ordered.* This 3d day of January 1947, on the Commission's own motion, that the said hearing upon the above-entitled application be, and it is hereby, set for March 3, 1947 at San Antonio, Texas.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-983; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Dockets Nos. 7965 and 7968]

SEASIDE BROADCASTING CO. ET AL.

ORDER DENYING PETITION

In re: applications of Seaside Broadcasting Company, Atlantic City, New Jersey, Docket No. 7965, File No. B1-P-5384; Atlantic City Broadcasting Corporation, Atlantic City, New Jersey, Docket No. 7966, File No. B1-P-5402; Mid-Atlantic Broadcasting Company, Atlantic City, New Jersey; File No. B1-P-5185; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of December 1946;

The Commission having under consideration a petition filed November 29,

1946, by Atlantic City Broadcasting Corporation requesting that the above-entitled application of Mid-Atlantic Broadcasting Company, Atlantic City, New Jersey, for construction permit (File No. B1-P-5185) to construct and operate a new standard broadcast station on the frequency 1340 kc with 250 kc power, unlimited time, be designated for hearing in a consolidated proceeding with the above-entitled applications of Atlantic City Broadcasting Corporation (File No. B1-P-5402; Docket No. 7966) and Seaside Broadcasting Company (File No. B1-P-5384; Docket No. 7965), both requesting construction permits to construct and operate new standard broadcast stations at Atlantic City, New Jersey, to operate on 1400 kc with 250 watts power, unlimited time;

It appearing that the said petition relies expressly on the Commission's memorandum opinion and order of October 10, 1946, released November 5, 1946, which consolidated in a single proceeding two Paris, Tennessee applications and one Murray, Kentucky application which requested the use of a frequency not in electrical conflict with that requested by another applicant for a new station at Paris, Tennessee; and

It appearing further, that the Commission, on the 26th day of December 1946, granted the petition for reconsideration filed by one of the parties to the aforementioned Paris, Tennessee-Murray, Kentucky, proceeding, directed against the said memorandum opinion and order consolidating the said applications; set aside said memorandum opinion and order and granted the application which was not in electrical conflict with the other said applications; and

It appearing further, that the above-entitled application of Mid-Atlantic Broadcasting Company (File No. B1-P-5185), Atlantic City, New Jersey, is not in electrical conflict with either of the two above-entitled applications; that said Mid-Atlantic Broadcasting Company is legally, technically, financially and otherwise qualified to be a licensee of a standard broadcast station, and that public interest, convenience and necessity will be served by a grant of said application of Mid-Atlantic Broadcasting Company;

*It is ordered.* That the petition of Atlantic City Broadcasting Corporation requesting that the said application of Mid-Atlantic Broadcasting Company for construction permit (File No. B1-P-5185) be designated for hearing in a consolidated proceeding with the other two above-entitled applications of Seaside Broadcasting Company (File No. B1-P-5384; Docket No. 7965) and Atlantic City Broadcasting Corporation (File No. B1-P-5402; Docket No. 7966) be, and it is hereby denied; and that the application of Mid-Atlantic Broadcasting Company, Atlantic City, New Jersey, for construction permit (File No. B1-P-5185) be, and it is hereby, granted.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-978; Filed, Jan. 31, 1947;  
8:49 a. m.]

[Docket No. 8057]

PRESS WIRELESS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Press Wireless, Inc., Docket No. 8057, File Nos. 6514-MLHT-B 6515-MLHT-B, for modification of licenses to permit the handling of deferred commercial messages.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 23d day of January 1947;

The Commission having under consideration applications filed December 9, 1946, by Press Wireless, Inc., for modification of its licenses in the fixed public press service to permit the handling of commercial messages on a deferred basis; and

It appearing, that the Commission, upon examination of the above-described applications, is unable to determine that public interest, convenience or necessity would be served by a grant thereof;

*It is ordered.* Pursuant to section 309 (a) of the Communications Act of 1934, as amended, that the above-described applications of Press Wireless, Inc., be, and they are hereby, designated for hearing for the following reasons:

1. To determine whether there is a public need for the use of applicant's telegraph communication channels for the handling of commercial messages on a deferred basis which cannot adequately be met by existing cable facilities and the facilities of radio carriers in the fixed public service;

2. To determine the nature of the service proposed to be rendered by the applicant, including the charges, and the divisions thereof, practices, and regulations in connection therewith as compared with the service now being rendered by other cable and radio carriers;

3. To determine the relative speed of service and the scheduled hours of operation of the proposed service as compared with service of competing cable and radio carriers in the deferred classification;

4. To determine the extent to which applicant's authorized frequencies and facilities would be used for rendering the proposed service and whether such use is the most desirable and efficient use thereof from the standpoint of providing the United States public with rapid and efficient communication service;

5. To determine what effect, if any, the rendition of the proposed service by the applicant will have upon the communication services now being rendered by applicant and upon the communication services rendered by other carriers furnishing foreign telegraph communication service;

6. To determine applicant's financial ability to provide the necessary physical equipment, offices, and personnel in order to render the proposed service;

7. To determine the effect which the rendition of the proposed service would have on applicant's financial condition and on its ability to serve the public as a press carrier;

## NOTICES

8. To determine any other relevant facts which would indicate whether or not a grant of the above-described applications would serve public interest, convenience, or necessity.

*It is further ordered*, That Press Wireless, Inc., be, and it is hereby, made a party respondent to this proceeding, and that a copy hereof be served upon it and upon all other carriers subject to the Communications Act of 1934, as amended, engaged in rendering telegraph communication service between the United States and foreign points;

*It is further ordered*, That this proceeding be, and the same is hereby, assigned for hearing on the 3rd day of March, 1947, beginning at 10:00 a. m., before the Commission's Telegraph Committee composed of Commissioners Ray C. Wakefield, Paul A. Walker and Clifford J. Durr, or any member or members of such Committee, at the offices of the Federal Communications Commission in Washington, D. C.;

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-988; Filed, Jan. 31, 1947;  
8:48 a. m.]

## COMMUNITY BROADCASTING CO.

PROPOSED TRANSFER OF CONTROL<sup>1</sup>

The Commission hereby gives notice that on January 21, 1947 there was filed with it an application (B3-TC-529) for its consent under section 310 (B) of the Communications Act (47 U. S. C. A. 310) to the proposed transfer of control of Community Broadcasting Company (licensee of AM Station WNCA), Asheville, North Carolina, from C. Fredric Rabell, Jack O. K. Barfield, James M. Earnest, Albin Knight, Alfred Miller, Richard M. Arnold to Jacksonville Broadcasting Company, Gulf Life Building, Jacksonville, Florida. The arrangements for transfer of control of the above station are based upon the agreement of December 23, 1946 between the selling stockholders and Jacksonville Broadcasting Corporation pursuant to which said selling stockholders propose to sell all of the 240 shares of common \$100 par value voting stock of Community Broadcasting Company (constituting all the issued and outstanding stock) to purchaser for \$80,100 in cash and the additional considerations which are set forth in the purchase agreement. From the agreement it appears that the stock and \$25,000 were deposited in escrow with the First National Bank and Trust Company of Asheville, North Carolina, upon execution of the agreement; the balance of \$55,100 is to be paid within 3 days of notice from the Commission approving the application. Current assets (cash on hand and in bank, accounts receivable, notes, and other claims due or ac-

crued to the corporation as of December 31, 1946) are to be retained by the sellers. Buyer agreed to loan licensee not to exceed \$10,000 for operating purposes and to loan further amounts to liquidate existing indebtedness. Further details as to the arrangements between the parties and concerning the application may be determined from an inspection of the papers which are on file at the offices of the Commission in Washington, D. C.

On July 25, 1946, the Commission adopted Rule 1.388 (known as Rule 1.321 effective September 11, 1946) which sets out the procedure to be followed in such cases, including the requirement for public notice concerning the filing of the application. Pursuant thereto the Commission was advised by applicants at the time of the filing of the application (January 21, 1947) that starting on January 21, 1947 notice of the filing of the application would be inserted in the Asheville Citizen, a newspaper of general circulation in Asheville, North Carolina, in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from January 21, 1947, within which the other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. A. 310 (b))

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-987; Filed, Jan. 31, 1947;  
8:48 a. m.]

## DICKINSON RADIO ASSN.

PROPOSED TRANSFER OF CONTROL<sup>1</sup>

The Commission hereby gives notice that on November 15, 1946 there was filed with it an application (B4-TC-523) for its consent under section 310 (b) of the Communications Act (47 U. S. C. A. 310) to the proposed transfer of control of Dickinson Radio Association, Inc. (permittee of AM station KDIX), Dickinson, North Dakota from P. J. Weir, W. N. Walton, Fay M. Foster, and Robert B. Cummins to W. K. Johnson, William O. Rabe, Frank P. Whitney, C. R. Dukart, Leroy Moomaw, P. J. Baseflug, and L. W. Veigel. The arrangements for transfer of control of the above station are based upon agreements between the parties pursuant to which the selling stockholders proposed to sell a total of 215 shares (out of 250 outstanding) at par value (\$100 per share) or a total of \$21,500. Further details as to the arrangements between the parties and concerning the application may be determined from an inspection of the papers which are on file at the offices of the Commission in Washington, D. C.

On July 25, 1946 the Commission adopted Rule 1.388 (known as Rule 1.321 effective September 11, 1946) which sets out the procedure to be followed in such

cases, including the requirement for public notice concerning the filing of the application. Pursuant thereto the Commission was advised by applicants by letter dated January 22, 1947 that starting on January 21, 1947 notice of the filing of the application would be inserted in the Dickinson Press, a newspaper of general circulation at Dickinson, North Dakota in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from January 21, 1947, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract.

(Section 310 (b), 48 Stat. 1086; 47 U. S. C. A. 310 (b))

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-986; Filed, Jan. 31, 1947;  
8:48 a. m.]

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

## ALASKA

AIR-NAVIGATION SITE WITHDRAWAL 156 ENLARGED; AIR-NAVIGATION SITE WITHDRAWAL 169 ENLARGED; AIR-NAVIGATION SITE WITHDRAWAL 202

## Correction

In the documents appearing in the issue of Friday, January 24, 1947, beginning at page 498, the following changes should be made:

In Federal Register Document 47-687, the second line of the land description should read: "Sec. 5, lots 1, 2, and 5, S½NW¼".

In Federal Register Document 47-690, the thirteenth line of the land description should read: "East 6,142.40 feet to corner No. 9;".

In Federal Register Document 47-705, the phrase beginning "Southerly, 3080 feet" in the land description should read: "Southerly, 3080 feet, along the line of ordinary high water, right bank Koyukuk River, to the place of beginning."

## FEDERAL POWER COMMISSION

[Project No. 1845]

## NANTAHALA POWER AND LIGHT CO.

ORDER GRANTING APPLICATION FOR RECONSIDERATION, RESCINDING ORDER AUTHORIZING ISSUANCE OF NEW LICENSE AND DISMISSING APPLICATION FOR NEW LICENSE (TRANSMISSION LINE)

JANUARY 24, 1947.

Upon application filed December 26, 1946, by Nantahala Power and Light Company, applicant for a new license for transmission line Project No. 1845, for reconsideration of the Commission's order issued November 22, 1946, authorizing issuance of a new license for the project; and

<sup>1</sup> § 1.321, Part I, Rules of Practice and Procedure.

It appearing that: (a) The aforesaid application states that the allegation contained in paragraph (b) of the order to the effect that the transmission line in question "appeared to be a primary line emanating from the Santeetlah project and as such might properly be included in any license issued by the Commission for that project" is erroneous and contrary to the facts; and applicant objects to the condition in the order requiring it to agree to include the line in any license which may be issued in the future for the Santeetlah project;

(b) The original license for the project, which terminated on February 25, 1946, and the application for new license, particularly the maps made a part of both, describe and show the project works to consist of:

A 154,000-volt transmission line extending from Carolina Aluminum Company's Santeetlah power house on the Little Tennessee River for a distance of about 19 miles to a substation at Nantahala Station, North Carolina; \* \* \*;

(c) The application for reconsideration states that the line does not emanate from the Santeetlah power house but that the terminus of the line is at a switching station located approximately 770 feet from the Santeetlah power house and that the line does not serve as a primary line carrying energy from Santeetlah project, but instead the primary purpose of the line is to provide a means for delivery to an aluminum manufacturer of the output of the applicant's Nantahala and Glenville hydroelectric plants, both of which have been found by the Commission not to be subject to its jurisdiction under Part I of the Federal Power Act (Dockets Nos. DI-156 and DI-157);

The Commission, having considered the application for reconsideration and having reconsidered the application for new license and the project record, finds that:

(1) The project as described in the two applications for license and in the original license is substantially different from the project as described in the application for reconsideration;

(2) The aforesaid line is not a primary line within the meaning of section 3 (11) of the Federal Power Act under the Commission's March 4, 1941, interpretation and, therefore, is not within the licensing authority of the Commission;

(3) The application for reconsideration should be granted by rescinding the order issued November 22, 1946, authorizing issuance of a new license and; by dismissing the application filed November 1, 1945, for a new license;

*It is ordered,* That: The application for reconsideration is hereby granted; the order issued November 22, 1946, authorizing a new license for the project is hereby rescinded; the application filed November 1, 1945, for a new license for the project is hereby dismissed; and the applicant is hereby directed to apply to the Secretary of Agriculture and the Secretary of the Interior for appropriate authority to continue the operation and maintenance of the line over National

Forest and Indian tribal lands, respectively.

Date of issuance: January 28, 1947.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-952; Filed, Jan. 31, 1947;  
8:52 a. m.]

[Docket No. G-606]

TENNESSEE GAS AND TRANSMISSION CO.  
AND CHICAGO CORP.

ORDER FURTHER POSTPONING HEARING

JANUARY 28, 1947.

It appearing to the Commission that:

(a) On November 5, 1946, the Commission ordered that a public hearing in the above-docketed matter be held commencing on January 20, 1947, and by order entered January 10, 1947, postponed the date of such hearing to February 3, 1947.

(b) Good cause exists for further postponing the date of hearing as hereinafter provided.

The Commission orders that: The public hearing in the above-docketed matter is hereby postponed to February 24, 1947, commencing at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

Date of issuance: January 29, 1947.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-953; Filed, Jan. 31, 1947;  
8:51 a. m.]

[Docket No. IT-6025]

CONNECTICUT POWER CO.

NOTICE OF APPLICATION

JANUARY 28, 1947.

Notice is hereby given that on January 27, 1947, an application was filed, pursuant to section 203 of the Federal Power Act, by The Connecticut Power Company ("Connecticut"), a corporation organized under the laws of the State of Connecticut and doing business in said State, with its principal business office at New London, Connecticut, seeking an order authorizing the merger of The Torrington Electric Light Company ("Torrington"), a corporation organized under the laws of the State of Connecticut and doing business in said State, with its principal business office at Torrington, Connecticut, into and with Connecticut, the surviving corporation. The consideration, the application states, consists of Connecticut issuing a 1.1 share of its common stock and a 3% thirty-five year bond (callable at par after the first 20 years) in the principal amount of \$50 for each one share of stock of Torrington. The facilities of Torrington consist of a gas and electric retail distribution system, an electric

generating station and a gas manufacturing plant located in the City of Torrington. Torrington's electric distribution system consists of 93 miles of 2300 volt primary and 220/110 volt secondary distribution lines. All these facilities are to be merged into and with all the facilities of Connecticut; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 15th day of February, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-975; Filed, Jan. 31, 1947;  
8:48 a. m.]

## INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 91]

RECONSIGNMENT OF CITRUS FRUITS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Pa., January 28, 1947, by Knowles & Co., of car BREX 75691, citrus, now on the Pennsylvania RR., to Samuel J. Shallow Co., Boston, Mass. (PRR-NYNH&H) account railroad error.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of January 1947.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 47-961; Filed, Jan. 31, 1947;  
8:47 a. m.]

[S. O. 666-A]

UNLOADING OF PLYWOOD AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of January A. D. 1947.

## NOTICES

Upon further consideration of Service Order No. 666 (12 F. R. 510), and good cause appearing therefor: it is ordered, that:

(a) Service Order No. 666, *Plywood at Los Angeles, Calif., on Sou. Pac. Co., be unloaded*, be, and it is hereby, vacated and set aside.

It is further ordered, that this order shall become effective at 11:59 p. m., January 28, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, Sec. 402, 418; 41 Stat. 476, Sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-958; Filed, Jan. 31, 1947;  
8:46 a. m.]

[S. O. 670]

## UNLOADING OF CARS AT CHICAGO, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of January A. D. 1947.

It appearing, that 41 cars containing various commodities at Chicago, Illinois, on the Chicago and North Western Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Cars at Chicago, Ill., be unloaded.* The Chicago and North Western Railway Company, its agents or employees, shall unload immediately the following cars, loaded with various commodities, now on hand at Chicago, Illinois, consigned to Froehling Supply Company:

NYC	105484	NYC	49769
SAL	4020	UP	74375
ATSF	139098	ERIE	75308
NP	15851	GN	50320
PM	53999	MP	48284
SP	21410	NH	81910
DRGW	67633	NW	49159
MP	75626	IC	14745
NYC	107880	ACL	52599
NYC	117800	UP	183823
MILW	593046	NYC	203216
SOU	165561	SP	27106
B&O	386121	DRGW	67996
SAL	19636	NKP	16350
T&NO	53108	StP	21794
NKP	8156	IGN	17900
NP	83756	C&NW	83410
IGN	14148	MP	91048
PRR	90899	MP	94804
ATSF	14256	GN	29030
PRR	571099		

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., January 29, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, Sec. 402, 418; 41 Stat. 476, Sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-959; Filed, Jan. 31, 1947;  
8:46 a. m.]

[S. O. 671]

## UNLOADING OF COAL AT HELEN N. SIDING, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of January A. D. 1947.

It appearing, that car PRR 193346, containing coal at Helen N. Siding, Pennsylvania, on The Monongahela Railway Company, loaded by Ford Coal Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Coal at Helen N. Siding, Pennsylvania, be unloaded.* The Monongahela Railway Company or its agents or employees, shall unload immediately car PRR 193346, containing coal, now on hand at Helen N. Siding, Pennsylvania.

(b) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, Sec. 402; 41 Stat. 476, Sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-960; Filed, Jan. 31, 1947;  
8:47 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1437]

## ELECTRIC BOND AND SHARE CO.

## ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of January A. D. 1947.

Electric Bond and Share Company (Bond and Share), a registered holding company, having filed an application and declaration pursuant to sections 9 (a), 10 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder with respect to the following transactions:

Bond and Share's Plan II-A, as amended, approved by the Commission on September 6, 1946, provided, among other things, that the company offer to its common stockholders warrants evidencing the right to purchase for each share of the common stock of Bond and Share held, .16 of a share of the common stock of American Gas and Electric Company (American), and .20 of a share of the common stock of Pennsylvania Power & Light Company (Pennsylvania). January 17, 1947 has been set as the record date for determining the common stockholders of the company who shall be entitled to receive such warrants and prices of \$33.25 and \$17.50 per full share have been fixed by the company as the respective offering prices of American and Pennsylvania. The offering period will commence on January 31, 1947 and will remain open until 3:00 p. m., e. s. t., February 17, 1947.

In the present application and declaration, Bond and Share requests permission to purchase at any time from January 27 to February 17, 1947, inclusive, common stock of American and Pennsylvania and warrants to be issued by Bond and Share in connection therewith, for the purpose of stabilizing the market prices of these securities. Any purchases by Bond and Share for the purpose of such stabilization will commence as to the common stock of American at a price (exclusive of commissions) not in excess of \$40.25 per share or the last preceding sale price on the New York Curb Exchange, whichever is lower; and as to the common stock of Pennsylvania, at a price not in excess of \$21.00 per share or the last preceding sale price of said stock on the New York Stock Exchange, whichever is lower. Any purchase of warrants of these securities will commence at a price not in excess of the price at which the last preceding sale of such rights was made on the New York Curb Exchange, or in the event no preceding sale has occurred, such initial purchase will be made at a price not in excess of the computed value of the rights based on the differential between the offering price of the security and the last preceding sale price of such security on the respective New York Exchanges on which they are traded.

Bond and Share also requests permission to sell, during the offering period, the shares of stocks or warrants so acquired, by sales on or off the Exchanges. Any sales of stock effected off the Exchanges are to be at a price substantially equivalent to the last sales price during the day on the respective New York Exchanges where such stocks are traded. Any sale of warrants will be effected at prices not exceeding the current prices thereof quoted on the New York Curb Exchange.

The purchase by the company of warrants which are not thereafter resold will constitute a withdrawal by the company of certain shares of American and Pennsylvania from the proposed offering to its common stockholders. The company, therefore, also requests permission to sell during the offering period the number of shares of common stock of American or Pennsylvania which the rights purchased by the company (and not thereafter resold) entitle the holder thereof to purchase.

In connection with the stabilization transactions relating to the common stock of American and Pennsylvania, Bond and Share represents that it will at no time acquire a net long position (exclusive of shares presently owned by the company and not being offered to common stockholders) of shares of common stock of either American or Pennsylvania in excess of 10% of the aggregate number of shares of common stock of each of said companies being offered to its common stockholders. If the company retains any of the shares so acquired after the termination of the offering period, it will sell such shares in accordance with the provisions of Plan II-A, as amended, relating to any shares of such stock not offered to, or not pur-

chased by, Bond and Share common stockholders.

Such application and declaration having been filed on January 15, 1947, and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application and declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary under section 10 (b) or 10 (c) (1) of the act and that the transactions involved have the tendency required by section 10 (c) (2), and that the requirements of section 12 (d) and Rule U-44 are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective; and

The Commission deeming it appropriate to grant the request of applicant-declarant that the order become effective immediately upon the issuance thereof so that the company may be in a position to expedite the consummation of its Plan II-A, as amended, and further deeming it appropriate to grant the request of applicant-declarant that the order conform to the requirements of the Internal Revenue Code, as amended, including section 1808 (f) thereof;

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of the act and rules thereunder that the application and declaration be, and the same hereby are, granted and permitted to become effective immediately, subject to the terms and conditions prescribed in Rule U-24 and subject to a reservation of jurisdiction as to all legal and financial advisory fees incurred in connection with the proposed transactions.

*It is further ordered*, That the purchase by Bond and Share of shares of common stock of American and Pennsylvania and warrants to be issued by Bond and Share in connection therewith as hereinabove set forth, and that the sale by Bond and Share of shares of common stock of American and Pennsylvania and warrants with respect thereto are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 47-964; Filed, Jan. 31, 1947;  
8:47 a. m.]

[File No. 54-81]

MIDDLE WEST CORP. ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of January 1947.

In the matter of The Middle West Corporation, Central and South West Utilities Company and American Public Service Company, File No. 54-81.

The Commission by order dated April 30, 1946, having approved a plan, as amended, filed pursuant to the provisions of section 11 (e) of the Public Utility Holding Company Act of 1935 jointly by The Middle West Corporation (Middle West), a registered holding company, Central and South West Utilities Company (Central) and American Public Service Company (American), registered holding company subsidiaries of Middle West, and by West Texas Utilities Company (West Texas), a subsidiary of American, which plan provides, among other things, for the merger of American into Central and for the reorganization of the surviving company; and the United States District Court for the District of Delaware having entered its order approving and enforcing the said plan, as amended, subject to the terms and conditions of the order of the Commission of April 30, 1946, which provided, among other things, for a reservation of jurisdiction with respect to the reasonableness of the price to be paid for such of the common stock of the surviving company which, pursuant to the plan, is to be sold in accordance with the requirements of Rule U-50; and

Central on January 27, 1947, having filed a report in this proceeding supplementing the amended application for approval of the said plan, as amended, stating that, in accordance with the terms of the plan, it has offered said common stock of the surviving company for sale pursuant to the competitive bidding requirements of Rule U-50, and has received the following bids:

Syndicate headed by	Number of shares	Public offering price per share	Underwriter's compensation per share	Net price per share to company
Lehman Bros.				
Lazard Freres & Co.	1,342,192	\$12.00	\$1.05	\$10.95
Blyth & Co., Inc.				
Smith, Barney & Co.				
Harriman, Ripley & Co., Inc.	1,349,451	11.75	.8589	10.8911

The report further stating that Central has accepted the bid of the syndicate headed by Lehman Brothers and Lazard Freres & Co. and that the stock will be offered for sale to the public at a price of \$12.00 per share, with compensation to the underwriters of \$1.05 per share, resulting in a net price to the company of \$10.95 per share; and

Public hearings having been duly held at which all interested persons were afforded opportunity to be heard, and Middle West, Central, American, and the Common Stockholders Committee having appeared by their respective counsel, and no other persons having appeared, and no one having opposed the acceptance and approval of the results of the competitive bidding, and the Commission having examined the amendment and

## NOTICES

the record with respect thereto, and observing no basis for adverse findings:

*It is ordered,* That the jurisdiction heretofore reserved with respect to the reasonableness of the price to be paid for the surviving company's common stock, the underwriter's spread and the fees and expenses of the underwriters in connection therewith be, and hereby is, released, and that the amended application as supplemented by the aforesaid report be, and hereby is, granted, subject to the terms and conditions prescribed in Rule U-24.

*It is further ordered,* That the reservations of jurisdiction with respect to all other matters set forth in the Commission's order of April 30, 1946, be, and hereby is continued.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 47-963; Filed, Jan. 31, 1947;  
8:47 a. m.]

## SELECTIVE SERVICE SYSTEM

[No. 329]

## ORDER TO REPORT FOR INDUCTION; SPECIAL ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 150-F, entitled "Order to Report for Induction—Special."<sup>1</sup>

The foregoing revision shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,  
Director.

DECEMBER 20, 1946.

[F. R. Doc. 47-1001; Filed, Jan. 31, 1947;  
9:06 a. m.]

## DEPARTMENT OF JUSTICE

## Office of Alien Property

[Vesting Order 5186, Amdt.]

MARY ZUERCHER

In re: Estate of Mary Zuercher, deceased. File D-28-9590; E. T. sec. 13221.

Vesting Order 5186, dated August 21, 1945, is hereby amended as follows and not otherwise:

By deleting the words "Board of Finance and Review of the Commonwealth of Pennsylvania" wherever they occur, and by inserting in lieu thereof the words "State Treasury, Commonwealth of Pennsylvania."

All other provisions of said Vesting Order 5186 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant

thereto and under the authority thereof are hereby ratified and confirmed.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.  
[F. R. Doc. 47-992; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Vesting Order 5662, Amdt.]

MARY ZUERCHER

In re: Estate of Mary Zuercher, deceased. File D-28-9590; E. T. sec. 13221. Vesting Order 5662, dated January 16, 1946, is hereby amended as follows and not otherwise:

By deleting the words "Board of Finance and Review of the Commonwealth of Pennsylvania" wherever they occur, and by inserting in lieu thereof the words "State Treasury, Commonwealth of Pennsylvania."

All other provisions of said Vesting Order 5662 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-993; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Vesting Order 8002]

ENGELBERT BROMESBERGER

In re: Estate of Engelbert Bromesberger, deceased. File No. D-28-10761; E. T. sec. 15080.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hedwig Ebner, Fanny Promersberger, and Kreszenz Schall, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$1,433.11 was paid to the Alien Property Custodian by Carl

R. Becker, Special Administrator of the estate of Engelbert Bromesberger, deceased;

3. That the said sum of \$1,433.11 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on July 31, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925, 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 16, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-994; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Vesting Order 8005]

ADELE R. CHAMBERLIN ET AL.

In re: Adele R. Chamberlin, et al. vs. Arthur G. Strassheim, et al. File D-28-10054; E. T. sec. 14271.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Feilner, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of \$1,000.00 was paid to the Alien Property Custodian by Walter J. Rinn, Liquidating Trustee in the matter of Adele R. Chamberlin, et al. vs. Arthur G. Strassheim, et al.;

<sup>1</sup> Filed as part of the original document.

3. That the said sum of \$1,000.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany).

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on September 9, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 16, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-995; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Vesting Order 8017]

KEITARO DAIGO

In re: Debts owing to Keitaro Daigo, also known as Kaituro Daigo and as K. Daigo. D-39-2774-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Keitaro Daigo, also known as Kaituro Daigo and as K. Daigo, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Keitaro Daigo, also known

as Kaituro Daigo and as K. Daigo, by the Superintendent of Banks of the State of California and Liquidator of the Yokohama Specie Bank, Ltd., San Francisco Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, in the amount of \$8,335.56, as of December 31, 1945, arising out of a commercial checking account, entitled K. Daigo, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Keitaro Daigo, also known as Kaituro Daigo and as K. Daigo, by the Federal Reserve Bank of New York, New York, New York, arising out of an account maintained for the Secretary of the Treasury under General Ruling Number 5, entitled Kaituro Daigo, evidenced by Window Ticket Number 1309, dated June 12, 1942, together with any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925, 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 16, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-996; Filed, Jan. 31, 1947;  
8:50 a. m.]

[Vesting Order 8062]

ANNA F. VOGEL

In re: Estate of Anna F. Vogel, deceased. File No. D-28-10873; E. T. sec. 15287.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gertrude Vogel Grimm and Margaret Vogel Boehmer, whose last known addresses are Germany, are residents of Germany and are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Anna F. Vogel, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Grace H. Corbin, 195 East Main Street, Gouverneur, New York, as Executrix, acting under the judicial supervision of the Surrogate's Court, St. Lawrence County, Gouverneur, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925, 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 21, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-1000; Filed, Jan. 31, 1947;  
8:51 a. m.]

[Vesting Order 8068]

EMIL BUSSE

In re: Bank account and stock owned by Emil Busse. F-28-24023-E-1, F-28-24023-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

## NOTICES

1. That Emil Busse, whose last known address is Feldbergen near Carbolzum, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation in the amount of \$2554.98, as of December 19, 1946, of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, constituting a portion of a blocked "E" account, entitled N. V. Hollandsche Koopmansbank, and any and all rights to demand, enforce and collect the same, and

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Emil Busse, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the proper-

ty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 22, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

## EXHIBIT A

Name and address of issuing corporation	State of incorporation	Number of shares	Type of stock	Par value	Certificate No.	Registered in name of—	Presently in custody of—
Anaconda Copper Mining Co., 25 Broadway, New York, N. Y.	Montana.....	20	Common.....	\$50.00	F954078.....	Ince & Co.....	Guaranty Trust Co., 140 Broadway, New York, N. Y.
Do.....	do.....	28	do.....	50.00	F954079.....	do.....	Do.
Do.....	do.....	2	do.....	50.00	823469.....	Lazard Freres & Co.....	Lazard Freres & Co., 44 Wall St., New York, N. Y.
International Telephone & Telegraph Corp., 67 Broad St., New York 4, N. Y.	Maryland.....	75	do.....	None	NN/AF 68771.....	Ince & Co.....	Guaranty Trust Co., 140 Broadway, New York, N. Y.
Radio Corp. of America, 30 Rockefeller Plaza, New York 20, N. Y.	Delaware.....	19	do.....	None	FR/C 38795.....	do.....	Do.
Do.....	do.....	50	do.....	None	FR/C 38796.....	do.....	Do.
United States Steel Corp., 71 Broadway, New York, N. Y.	New Jersey.....	25	do.....	None	P241772.....	do.....	Do.
Vanadium Corp. of America, 420 Lexington Ave., New York 17, N. Y.	Delaware.....	50	do.....	None	O181159.....	do.....	Do.
Westinghouse Electric Corp., 306 4th Ave., Pittsburgh, Pa.	Pennsylvania.....	20	do.....	12.50	C068187.....	do.....	Do.
Do.....	do.....	100	do.....	12.50	C113060.....	do.....	Do.
International Nickel Co. of Canada, Ltd., 67 Wall St., New York 5, N. Y.	Dominion of Canada.....	25	do.....	None	NB211194.....	Schmidt & Co.....	Do.
Do.....	do.....	50	do.....	None	NB190672.....	do.....	Do.
Do.....	do.....	25	do.....	None	NB290762.....	Tegge & Co.....	Do.
					NB278301.....	L. D. Pickering & Co. ....	Bank of The Manhattan Co., 40 Wall St., New York, N. Y.

[F. R. Doc. 47-997; Filed, Jan. 31, 1947; 8:50 a. m.]

## [Vesting Order 8075]

ALEXANDER PAUL WETZIG

In re: Stock owned by Alexander Paul Wetzig. F-28-12722-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alexander Paul Wetzig, whose last known address is St. Benedictstrasse 80, Hamburg 13, Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

2. That the property described as follows: Fifty (50) shares of \$100.00 par value 7% Cumulative Preferred capital stock of Dohrmann Commercial Company, 984 Mission Street, San Francisco 3, California, a corporation organized under the laws of the State of California, evidenced by certificate number 2316, registered in the name of Alexander Paul

Wetzig together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp.; E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 22, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-999; Filed, Jan. 31, 1947;  
8:51 a. m.]